

Item I Amendment 7--Amendment of FIRMR provisions to ensure currency and relevancy

Item II Interim Rule 2, Supp. 1--Amendment of FIRMR provisions to modify requirements for obtaining delegations of procurement authority

Item III FIRMR Bulletin C-7, Revision 1--Trail Boss Program

Item IV Appendix C, List of Current Issuances--Updated pages

Explanations

Item I Summary: This rule amends the Federal  
(Amdt. 7) Information Resources Management Regulation (FIRMR) to ensure the currency and relevancy of the FIRMR. It is issued in accordance with Executive Order 12866 of September 30, 1993, which requires agencies to periodically review their significant regulations to determine whether they should be modified or eliminated.

Effective Date: This rule is effective February 1, 1996

Supplementary Information: (1) This amendment incorporates provisions of two notices of proposed rulemaking (NPR's) published in the FEDERAL REGISTER (FR) on December 6, 1994 and January 10, 1995.

(2) The following summarizes the major changes being made as a result of these notices:

(a) Sections 201-1.003(a), 201-3.000, 201-3.001(a), 201-3.101, 201-3.201(d), 201-3.3 and

**Date Filed** \_\_\_\_\_ **Filed By** \_\_\_\_\_

definition for outdated FIP equipment is revised to shorten the period for determining when FIP equipment is outdated. The FIRMR defines outdated FIP equipment as any FIP equipment over eight years old, based on the initial commercial installation date of that model of equipment, and that is no longer in current production. This definition has been in existence since 1986 when the product cycle of computer equipment was four years. Since that time, the product life cycle has decreased to about three years, and industry spokesmen state that this figure is decreasing even more. Additionally, after five years most computer equipment has little or no market value. In recognition of these facts, the definition for outdated equipment is being revised to shorten the time interval from eight to six years after the first commercial installation at which point equipment no longer produced is considered to be outdated.

(c) Section 201-4.001 is amended by adding a new definition for "Records management." The FIRMR discusses records management in subpart 201-9.1, but has never included a definition.

(d) Section 201-4.003, Applicable OMB Circulars, is being added. In order to avoid future changes to FIRMR text caused by revisions of OMB Circular titles, this new section is added to include the current titles of all OMB Circulars referenced in the FIRMR.

(e) A series of revisions are being made due to Public Law 102-569 (dated October 29, 1992), which amended the Rehabilitation Act of 1973 by broadening the scope of accessibility for individuals with disabilities. These revisions capture more thoroughly the intent of Pub. L. 102-569. The previous version of the Rehabilitation Act only required that GSA ensure those with disabilities can access "electronic office equipment." The revised statute

revised statutory provision emphasizes that all individuals must be able to use technology to accomplish the same end objectives. A new paragraph 201-6.002(g) is added to include as a predominant consideration in the management and use of information and records, the importance of ensuring that individuals with disabilities can produce information and data, and have access to information and data, comparable to the information and data, and access, respectively, of others. Section 201-6.002 is also revised to redesignate the previous item(g) as new item (h). In addition to the insertion of 201-6.002(g), discussed above, other provisions of the FIRMR pertaining to accessibility by individuals with disabilities are being revised to incorporate the statutory intent of Pub. L. 102-569. These other FIRMR provisions are:

- 201-17.001(j) -- Predominant Considerations in the Management and Use of Federal Information Processing (FIP) Resources;
- 201-18.001(e), which generally describes the Federal Government's statutory responsibility to foster accessibility for individuals with disabilities;
- 201-18.002(c), which pertains to adoption of accessibility guidelines in agency IRM plans;
- and- 201-20.103-7(a), which requires agencies to incorporate accessibility requirements in their acquisitions of FIP resources.

(f) Section 201-7.002 paragraph (c) is revised to clarify when information needs are determined. The existing text suggested that information needs were to be determined before conducting a requirements analysis. The revised text reflects that determining information needs and analyzing requirements are frequently concurrent activities.

(g) Subpart 201-20.1 is revised to clarify GSA's intent regarding the preparation of

requirements analysis and preparing the required documentation when a similar document has already been prepared in conformance with agency programmatic needs. The FIRMR is being revised to allow agencies to use such similar documents if they address the basic information required in a requirements analysis. Other agencies have misinterpreted the intent of the phrase "commensurate with the size and complexity of the need," and, in some cases, are over documenting requirements for small dollar acquisitions. These small dollar acquisitions are usually for commercial items readily available in the competitive marketplace. FAR planning provisions and agencies' internal procurement procedures provide sufficient information for requirements to justify small dollar value acquisitions. To ensure more expeditious and efficient acquisitions, this rule establishes a threshold for when agencies must conduct requirements analyses and analyses of alternatives. Sections 201-20.102 and 201-20.202 are revised to eliminate the requirement to perform requirements analyses and analyses of alternatives for acquisitions of FIP resources when the total estimated system life costs of the FIP resources are less than \$500,000. Agencies may establish internal documentation procedures when the acquisitions involve FIP resources valued at less than \$500,000. However, agencies are encouraged to keep such documentation requirements to a minimum. Additionally, § 201-20.103 is revised to require that agencies only consider the factors in this section if it is appropriate to do so. This allows agencies to exercise discretion regarding whether or not to include the factors in their requirements analyses.

(h) Subpart 201-20.2 requires agencies to perform an analysis of alternatives based on the requirements analysis to determine the most advantageous alternative that will meet their

alternatives that are truly feasible to implement. It has come to our attention, however, that some agencies are analyzing all alternatives, whether or not they are feasible in the specific circumstance. This unnecessarily complicates and lengthens the acquisition process. Accordingly, section 201-20.202, which states the FIRMR policy on performing analyses of alternatives, is being revised to emphasize that agencies should limit the number of alternatives analyzed to those that are most feasible to implement. Other changes are also being made to this subpart. Section 201-20.203-2 is being revised to increase from \$50,000 to \$1,000,000 the threshold for performing a more detailed analysis of alternatives. Accordingly, agencies must perform an analysis including use of the present value of money if the estimated amount of their proposed acquisition is more than \$1,000,000 or an analysis that demonstrates that the benefits of the acquisition will outweigh the costs if the acquisition is less than \$1,000,000. This change will help to streamline the acquisition process by reducing documentation requirements for a greater number of smaller acquisitions.

(i) Section 201-20.303 paragraph (d)(2) is revised to permit agency heads to grant exceptions to FED-STDS provided GSA is notified at least 30 days prior to any granting of an exception to a FED-STD, e.g., in a solicitation. This change empowers agencies to accomplish their missions more effectively.

(j) Section 201-20.304 paragraphs (a) and (b)(1) deal with capability and performance validation. They are revised to require use of validation techniques that are more economical to Government and industry than use of a benchmark or an operational capability demonstration (OCD). Agencies will now be

actual caused some confusion about the meaning of "When a benchmark is used as part of performance validation, agencies shall ensure, that the FIP software selected for benchmarks is representative of actual requirements . . ." In fact, agencies acquire systems to accommodate a workload over a life cycle of some years. An agency's definition of its requirements at the time of acquisition is its best estimate of workload that will ultimately occur over the ensuing years.

(k) Section 201-20.305 is being amended to recognize the fact that GSA will, at the request of an agency, grant authority to the agency to ratify a contract awarded without the necessary specific acquisition DPA. The amendment also clarifies that procurement actions taken prior to contract award do not necessarily have to be repeated. It should be noted that the agency designated officials already have the authority to permit ratification of contracts valued at less than the agencies' regulatory or specific agency delegation thresholds.

(l) Section 201-20.305-3 is revised to emphasize the agency requirement for the submission of post delegation information to GSA for specific delegations. With the increased emphasis on results oriented performance, GSA will seek information demonstrating that agencies are obtaining the benefits cited in their agency procurement requests. Also, this section's reference to a specific acquisition DPA under the Trail Boss program is being deleted. Although the Trail Boss approach is being retained and its use encouraged, special DPAs will no longer be required.

(m) Section 201-21.403 is amended to change the annual report date from November 30 to October 20 for reporting the dollar amount charged to users for the sharing of excess FIP resources.

change the reference from 5 CFR 735.203 to 5 CFR 2635.704, to reflect a change in the regulations covering the use of telephone calls placed over Government provided telephone systems.

(o) Section 201-21.603 is amended to delete the agency reporting requirement. Agencies that listen-in to or record conversations for public safety, public service monitoring or to assist individuals with disabilities must notify GSA in writing at least 30 days before the operational date. This notification provision is being removed because it places an unnecessary burden on agencies. GSA does not have any affirmative enforcement or other function with regard to listening-in that would make this reporting requirement necessary. Such responsibilities rest solely with the reporting agency. Accordingly, in line with placing authority and responsibility at the appropriate level, this reporting requirement will be removed as will the provision that GSA will periodically review agency listening-in activities.

(p) Section 201-21.604, requires agencies to forward to GSA copies of each order for toll free telephone service. This provision is being removed because the use of toll-free telephone services is sufficiently routine that close supervision by GSA is no longer needed. Removal of this provision reduces costly and burdensome over-regulation and places authority and responsibility with the agency.

(q) Section 201-22.303 is revised to expand the scope of the subpart. Currently, this provision requires agencies to review the use of equipment that is already outdated and to determine if continued use is economical. This provision is revised also to expand the scope of the review to include equipment that may be obsolescent. This change is made to encourage agencies to ensure that their FIP equipment always remains

(1) Section 201-39.1001-1 is amended by removing the words "OMB Bulletin 88-16" in paragraph (i) and adding in their place "OMB Bulletin 90-08".

(s) Sections 201-39.1402-2 paragraph (c) and 201-39.1501-2 paragraph (c) are revised to increase the thresholds below which certain factors need not be considered in determining the lowest bid or total proposed cost, respectively. In determining the lowest bid in a sealed bidding acquisition, § 201-39.1402-1 requires agencies to factor in costs pertaining to life cycle support and conversion. In determining the total cost of a proposal in a negotiated acquisition, § 201-39.1501-1 requires agencies to factor in costs pertaining to life cycle support and conversion. These thresholds are increased from \$300,000 to \$1,000,000 in order to give agencies greater discretion in managing their acquisitions. For the same reason, the "per item" thresholds are increased from \$25,000 to \$100,000.

(t) Subpart 201-39.46 is amended to delete provisions that are more adequately addressed in FAR Subpart 46. This subpart addresses quality assurance and provides guidance limiting contractor liability in contracts for FIP resources. Unless circumstances warrant otherwise, contracting officers are instructed to insert a limitation of liability clause found at § 201-39.5206. FAR Subpart 46 also provides guidance on limitation of contractor liability. The FAR's guidance is more comprehensive and flexible than is the FIRMR. The FAR provides multiple contractual clauses from which a contracting officer must choose. Accordingly, the FIRMR provision and clause found at section 201-39.5202-6 are removed so that the corresponding FAR provision will apply.

agencies dated June 19, 1995, GSA granted specific agency delegations of procurement authority of \$100 million to each agency. This rule change codifies that higher delegation authority by establishing \$100 million as the regulatory threshold for agency acquisitions of FIP resources. This change is made in continuation of a long term GSA trend to place greater authority in the hands of the operating agencies. The higher threshold will allow agencies to assume greater responsibility for their acquisitions while allowing GSA to focus on larger, more complex acquisitions. In addition to increasing the dollar amount of regulatory delegations thresholds, this interim rule strongly encourages agency Designated Senior Officials (DSO's) to redelegate a minimum of 25 percent of GSA's exclusive procurement authority for FIP resources to qualified officials at other levels, and changes the approving authority for exceptions to the use of GSA's consolidated local telecommunications service.

Effective Date: January 29, 1996

Item III  
(Bul. C-7  
Rev. 1)

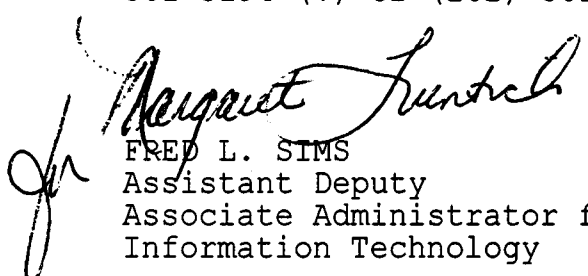
Purpose: This bulletin describes the newly revised Trail Boss Program, provides guidelines for agency participation, and states GSA's responsibilities.

Item III  
(App. C)

Action: This page updates the list of current FIRMR issuances. Specifically, Section C is updated to reflect the issuance of Amendment 7 and FIRMR Bulletin C-7, Rev. 1.

<u>In</u>	<u>Remove Pages</u>	<u>Insert pages</u>
Part 201-1	1-1 & 1-2	1-1 & 1-2
Part 201-2	2-1	2-1
Part 201-3	3-i thru 3-3	3-i thru 3-3
Part 201-4	4-i thru 4-6	4-i thru 4-6
Part 201-6	6-1 & 6-2	6-1 & 6-2
Part 201-7	7-1	7-1
Part 201-17	17-1	17-1
Part 201-18	18-1	18-1
Part 201-20	20-1 thru 20-8	20-1 thru 20-8
Part 201-21	21-i thru 21-6	21-i thru 21-5
Part 201-22	22-1 & 22-2	22-1 & 22-2
Part 201-24	24-1 & 24-4	24-1 & 24-4
Part 201-39	39-i thru 39-16	39-i thru 39-15
Appendix B	Bul. C-7	Bul. C-7/Rev. 1
Appendix C	C-1, C-3 & C-4	C-1, C-3 & C-4

Point of Contact. Questions concerning your agency's distribution of Transmittal Circulars or the FIRMR should be directed to your agency's GPO Liaison Officer. If additional assistance is needed, please contact R. Stewart Randall, Policy & Regulations Division (MKR), telephone, commercial or FTS (202) 501-3194 (v) or (202) 501-0657 (tdd).

  
 FRED L. SIMS  
 Assistant Deputy  
 Associate Administrator for  
 Information Technology

§ 201-1.001 [Reserved]

§ 201-1.002 Applicability.

§ 201-1.002-1 Policy.

The FIRMR applies to—

(a) The acquisition, management, and use of FIP resources by Federal agencies.

(b) Any Federal agency solicitation or contract when either paragraph (b)(1), (b)(2), or (b)(3) applies:

(1) The solicitation or contract requires the delivery of FIP resources for use by a Federal agency or users designated by the agency.

(2) The solicitation or contract explicitly requires the use by the contractor of FIP resources that are not incidental to the performance of the contract. FIP resources acquired by a contractor are incidental to the performance of a contract when:

(i) None of the principal tasks of the contract depend directly on the use of the FIP resources; or

(ii) The requirements of the contract do not have the effect of substantially restricting the contractor's discretion in the acquisition and management of FIP resources, whether the use of FIP resources is or is not specifically stated in the contract.

(3) The solicitation or contract requires the performance of a service or the furnishing of a product that is performed or produced making significant use of FIP resources that are not incidental to the performance of the contract. Significant use of FIP resources means:

(i) The service or product of the contract could not reasonably be produced or performed without the use of FIP resources; and

(ii) The dollar value of FIP resources expended by the contractor to perform the service or furnish the product is expected to exceed \$500,000 or 20 percent of the estimated cost of the contract, whichever amount is lower.

resources—

(i) Involves intelligence activities, cryptologic activities related to national security, the command and control of military forces, or equipment that is an integral part of a weapon or weapons system; or

(ii) Is critical to the direct fulfillment of military or intelligence missions, provided that this exclusion shall not include FIP resources used for routine administrative and business applications such as payroll, finance, logistics, and personnel management.

(b) The FIRMR does not apply to radar, sonar, radio or television equipment, except that the FIRMR is used by GSA to implement Federal Telecommunications Standards for radio equipment.

(c) When both FIP and other resources are being acquired under the same solicitation or contract and the FIRMR applies to the solicitation or contract, the FIRMR applies only to the FIP resources.

(d) Where the value of the FIP resources to be delivered does not exceed \$500,000 and constitutes only a minimal dollar amount of the contract, or is of little consequence to the major purpose of the contract, the FIRMR does not apply.

(e) While the FIRMR may require an agency to include in Federal solicitations and contracts provisions and clauses that control the contractor's acquisition of FIP resources, the FIRMR does not apply to FIP resources acquired by a Federal contractor that are incidental to the performance of a contract.

(f) The FIRMR does not apply to the acquisition, management, and use of products containing embedded FIP equipment when: (1) the embedded FIP equipment would need to be substantially modified to be used other than as an integral part of the product, or (2) the dollar value of the embedded FIP equipment is less than \$500,000 or less than 20 percent of the value of the product, whichever amount is lower. Embedded FIP

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(AMENDMENT 3, AUGUST 1994)

multiple products are acquired, the exception applies to each discrete product.

(g) The FIRMR does not apply to the acquisition, management, and use of FIP resources that will be used in or as embedded FIP resources (equipment, software, or supplies) in products excepted from FIRMR coverage under § 201-1.002-2(1). This exception includes replacement or upgrades of the embedded FIP resources, regardless of the cost.

**§ 201-1.002-3 Procedures.**

FIRMR Bulletin A-1 provides an analytical framework, guidance, and examples for use in determining whether the FIRMR applies to an acquisition. Agencies should use this bulletin to assist them in understanding FIRMR applicability provisions.

**§ 201-1.003 Authority.**

(a) The FIRMR is prepared, issued, and maintained, and the FIRMR is prescribed, by the Administrator of General Services under the Federal Property and Administrative Services Act of 1949, Public Law 152, 81st

impair or interfere with the determination by agencies of their individual FIP resources requirements, including the development of specifications for and the selection of the types and configurations of resources needed.

(c) The General Services Administration's (GSA's) records management authorities and responsibilities are defined under 44 U.S.C. 2901 et seq., which requires the Administrator to, among other things, provide guidance and assistance to Federal agencies to ensure economical and effective records management by agencies.

Paperwork Reduction Act (PRA), as amended, (44 U.S.C. 3501, et seq.) to be responsible for carrying out the agency's information resources management (IRM) functions; and

(b) The senior IRM official designated by the agency head for Federal agencies not subject to the PRA to be responsible for acquisitions of FIP resources made pursuant to a delegation of procurement authority (DPA).

**§ 201-2.001 General.**

The PRA requires that the head of each executive agency designate a senior official who shall report directly to the agency head. The designated official is responsible for carrying out the IRM functions assigned to the agency by the PRA.

**§ 201-2.002 Policies.**

(a) The DSO shall be responsible for implementing the policies contained in the FIRMR.

GSA

(c) The heads of Federal agencies not subject to the PRA shall designate a senior IRM official to be responsible for acquisitions of FIP resources made pursuant to a DPA.

**§ 201-2.003 Procedures.**

(a) Each Federal agency head shall advise GSA in writing of the position title and organizational identity of the DSO. The address is: GSA, Assistant Commissioner for Information Technology Policy and Leadership (KA), Washington, DC 20405.

(b) The policies and procedures on delegation of GSA's exclusive procurement authority are contained in § 201-20.305.

(c) The DSO's relationship to agency contracting officials is discussed in § 201-39.106.



201-3.100 Scope of subpart.  
201-3.101 Purpose.  
201-3.102 Relationship to the  
Federal Acquisition Regulation (FAR).

201-3.401 Policy.  
201-3.402 Exception.  
201-3.403 Procedures.

**Subpart 201-3.2—Administration of  
the FIRMR**

**Authority:** 40 U.S.C. 486(c) and 751(f).

201-3.200 Scope of subpart.  
201-3.201 Issuance.  
201-3.202 Structure.  
201-3.203 Maintenance.  
201-3.204 Copies.



(a) The Federal Information Resources Management Regulation (FIRMR) is codified in the Code of Federal Regulations (CFR) and includes interim rules which have the same effect as final rules.

(b) From time to time, the General Services Administration (GSA) will issue nonregulatory publications to provide guidance and information:

(1) FIRMR bulletins contain guidance and information on various information resources management areas. FIRMR bulletins do not constitute binding authority, but should be used as an aid in understanding GSA programs and the FIRMR. FIRMR bulletins are published in Appendix B of the looseleaf edition of the FIRMR and are available along with the FIRMR from GPO by subscription or on GSA's CD-ROM.

(2) Handbooks and reports address specific program or technical areas where the audience generally will be defined by the subject matter.

(3) Appendix C of the looseleaf edition of the FIRMR contains a listing of current bulletins, handbooks, and reports and information on how to obtain them.

### **Subpart 201-3.1—Purpose**

#### **§ 201-3.100 Scope of subpart.**

This subpart describes the purpose of the FIRMR and its relationship to the Federal Acquisition Regulation (FAR).

#### **§ 201-3.101 Purpose.**

The FIRMR is established to publish and codify uniform policies and procedures

unique to the acquisition of FIP resources by contracting. The FIRMR relies on the FAR for general policies and procedures to be used in acquiring these resources. The policies and procedures of part 201-39 are in addition to, not in lieu of, the FAR policies and procedures, except when the FIRMR specifically requires its policies and procedures, and not those of the FAR, to be followed.

(b) Notwithstanding the fact that the FAR is for the use of executive agencies in the acquisition of supplies and services, Federal agencies not otherwise subject to the FAR shall use the FAR in conjunction with the FIRMR when acquiring FIP resources.

### **Subpart 201-3.2—Administration of the FIRMR**

#### **§ 201-3.200 Scope of subpart.**

This subpart describes the issuance, structure, and maintenance of the FIRMR. It also describes how to obtain copies of the FIRMR.

#### **§ 201-3.201 Issuance.**

(a) The FIRMR is published in—

(1) The FEDERAL REGISTER;

(2) The CFR (cumulated form); and

(3) A separate looseleaf edition available by subscription.

(b) Amendments and interim rules are published in the FEDERAL REGISTER, the CFR, and in looseleaf form. Bulletins are published in looseleaf form only.

(c) Handbooks and reports are published as separate stand-alone documents.

identified as follows:

Chapter	Part	Subpart	Section	Subsection
201-	9.	2	02	-1

(b) *References and citations.*

(1) This regulation may be referred to as the Federal Information Resources Management Regulation or the FIRMR.

(2) This regulation is cited as "41 CFR 201-" followed by the appropriate subordinate division numbers.

**§ 201-3.203 Maintenance.**

(a) The Commissioner, Information Resources Management Service, GSA is responsible for—

(1) Preparing proposed changes to the FIRMR;

(2) Soliciting comments on proposed changes to the FIRMR;

(3) Considering all comments received in response to notices of proposed changes;

(4) Arranging for agency and public meetings regarding FIRMR changes;

(5) Preparing any final change in the appropriate FIRMR format and language;

(6) Submitting any final change to the FEDERAL REGISTER Liaison Officer for publication in the FEDERAL REGISTER and printing for distribution; and

(7) Performing miscellaneous administrative tasks pertaining to the maintenance of the FIRMR.

(b) The Administrator of General Services is responsible for signing all FIRMR amendments and interim rules.

(c) The Administrator of General Services may issue an interim rule to the FIRMR when solicitation of comments is impractical due to urgent and compelling circumstances (e.g., when a new statute must be implemented in a relatively short period of time). However, the interim rule will make provision for a public comment period of at least 30 days for consideration in the

purchased from the Government Printing Office (GPO) Bookstore, Washington, DC 20402, telephone: (202) 512-0132.

(b) Copies of the FIRMR in looseleaf edition (cumulative reprint plus amendments, interim rules, and bulletins) may be purchased by subscription from GPO.

**Subpart 201-3.3—[Reserved]**

**Subpart 201-3.4—Deviations from the FIRMR**

**§ 201-3.400 Scope of subpart.**

This subpart prescribes the policies and procedures for authorizing deviations from the FIRMR.

**§ 201-3.401 Policy.**

Deviations from the FIRMR shall be kept to a minimum consistent with the specific needs and statutory authorities of each agency. Individual and class deviations may be authorized by GSA's Commissioner, Information Resources Management Service, or the officials designated by the Commissioner for this purpose.

**§ 201-3.402 Exception.**

(a) For an acquisition limited solely to providing electronic office equipment accessibility for employees with disabilities, an individual deviation from the FIRMR may be authorized by the agency's DSO or the DSO's authorized representative. This deviation authority is limited to those FIRMR provisions that—

(1) Are not specifically prescribed by statute or executive order;

(2) Do not change the level of procurement authority delegated from GSA to the agency; and

(3) Impede or obstruct the acquisition of technology for employees with disabilities.

deviation to: General Services  
Administration, Regulations Analysis  
Division (KMR), 18th & F Streets, NW,  
Washington, DC 20405.

§ 201-3.402(b).

(b) Each request shall explain the nature  
of and the reasons for the deviation.

(c) Agencies shall forward requests for  
deviations to the address in § 201-3.402(b).



**FEDERAL INFORMATION RESOURCES MANAGEMENT REGULATION  
(AMENDMENT 7, OCTOBER 1995)**



**Agency procurement request (APR)** means a request by a Federal agency for GSA to acquire Federal information processing (FIP) resources or for GSA to delegate the authority to acquire FIP resources.

**Augmentation** means adding to or upgrading existing FIP hardware or software to increase its productivity or prolong its useful life.

**Automatic data processing equipment/data system (ADPE/DS)** means a specific automated system maintained by GSA to provide an inventory of the Federal Government's computer systems.

**Capability validation** means the technical verification of the ability of a proposed FIP system configuration, replacement component, or the features or functions of its software, to satisfy functional requirements. The intent is to ensure that the proposed FIP resource can provide the required functions. FIP performance requirements are not implied or measured in the validation. Examples of capability validation include--

(a) Operational capability demonstrations (OCD's) of the functions of the hardware, operating system, or support software;

(b) Verification of conformance with information processing standards;

(c) Expert examination of the technical literature supplied with the offer;

(d) Contacts with other users of the proposed information processing resource; and

(e) Vendor certification of conformance with the functional requirements.

**Compatibility-limited requirement** means a statement of FIP resources requirements expressed in terms that require the items to be compatible with existing FIP resources.

**COMSEC** means communications security systems, services, and concepts that constitute protective measures taken to deny unauthorized persons information derived from telecommunications of the United States Government related to national

located in a building, complex, or geographical area.

**Copy** means a duplicate of a document previously created.

**Correspondence** means letters, form letters, telegrams, memoranda, endorsements, summary sheets, postal cards, memo routing slips, and other written or electronic communications.

**Customer premises equipment (CPE)** means all telecommunications equipment and inside wiring located on the customer side of the demarcation point (demark). The demark is a point established in a building or complex to separate customer equipment from telephone company equipment.

**Designated senior official (DSO)** means--

(a) The senior official designated by executive agencies pursuant to the Paperwork Reduction Act to be responsible for carrying out the agency's IRM functions (see 44 U.S.C. 3506); or

(b) The senior IRM official designated by the agency head for Federal agencies not subject to the Paperwork Reduction Act to be responsible for acquisitions of FIP resources made pursuant to a DPA.

**Deviation** means any one or combination of the following:

(a) The issuance or use of a policy, procedure, practice, solicitation provision, contract clause, or method pertaining to the acquisition, management, or use of Federal information processing resources that is inconsistent with the FIRMR.

(b) The omission or modification of any policy, procedure, practice, solicitation provision or contract clause required by the FIRMR.

(c) The authorization of lesser or greater limitations on the delegation, use, or application of any policy, procedure, solicitation provision, or contract clause prescribed by the FIRMR, except that this does not preclude an agency from setting delegation thresholds at more restrictive levels than those established by the FIRMR.

**Directive** means a written communication

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(AMENDMENT 7, OCTOBER 1995)

program announcements, catalogs, price lists, training materials, and correspondence are not included.

**Excess FIP equipment** means FIP equipment controlled by a Federal agency but no longer required for its needs.

**Executive agency** means any executive department or independent establishment in the executive branch of the Government, including any wholly owned Government corporation (see 40 U.S.C. 472(a)).

**Federal agency** means any executive agency or any establishment in the legislative or judicial branch of the Government, except the Senate, the House of Representatives, the Architect of the Capitol, and any activities under the Architect's direction (see 40 U.S.C. 472(b)).

**Federal information processing (FIP) resources** means automatic data processing equipment (ADPE) as defined in Public Law 99-500 (40 U.S.C. 759(a)(2)), and set out in paragraphs (a) and (b) of this definition.

(a) Any equipment or interconnected system or subsystems of equipment that is used in the automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception, of data or information--

- (1) by a Federal agency, or
- (2) under a contract with a Federal agency which--
  - (i) requires the use of such equipment, or
  - (ii) requires the performance of a service or the furnishing of a product which is performed or produced making significant use of such equipment.

(b) Such term includes--

- (1) computers;
- (2) ancillary equipment;
- (3) software, firmware, and similar procedures;
- (4) services, including support services; and

provided in FIRMR Bulletin A-1). These terms are limited by paragraphs (a) and (b) of the definition of FIP resources and are defined as follows:

(d) **FIP equipment** means any equipment or interconnected system or subsystems of equipment used in the automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information.

(e) **FIP maintenance** means those examination, testing, repair, or part replacement functions performed on FIP equipment or software.

(f) **FIP related supplies** means any consumable item designed specifically for use with FIP equipment, software, services, or support services.

(g) **FIP services** means any service, other than FIP support services, performed or furnished by using FIP equipment or software.

(h) **FIP software** means any software, including firmware, specifically designed to make use of and extend the capabilities of FIP equipment.

(i) **FIP support services** means any commercial nonpersonal services, including FIP maintenance, used in support of FIP equipment, software, or services.

(j) **FIP system** means any organized combination of FIP equipment, software, services, support services, or related supplies.

**Federal Telecommunications System (FTS)** means the umbrella of local and long distance telecommunications services, including FTS2000 long distance services, provided, operated, managed, or maintained by GSA for the common use of all Federal agencies and other authorized users.

**File** means an arrangement of records. The term is used to denote papers, photographs, photographic copies, maps, machine-readable information, or other recorded information regardless of physical

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FIP systems forms, regardless of media.

**Implementation plan** means a document identifying the tasks that must be accomplished in order to place FIP resources into service. The plan also describes the management, contracting, technical, and operating assignments and responsibilities of systems operations.

**Information resources management (IRM)** means the planning, budgeting, organizing, directing, training, promoting, controlling, and management activities associated with the burden, collection, creation, use, and dissemination of information by agencies, and includes the management of information and related resources, such as Federal information processing resources (see 44 U.S.C. 3502(13)).

**Information Systems Security (INFOSEC)** means a composite of factors necessary to protect FIP systems and the information they process to prevent exploitation through interception, unauthorized electronic access, or related technical intelligence threats, and to ensure authenticity. This protection results from the application of security measures; including cryptosecurity, transmission security, emission security, and computer security; to systems that generate, store, process, transfer or communicate information of use to an adversary, and also includes the physical protection of sensitive material and sensitive technical security.

**Interoperability** means the ability of FIP resources to provide services to and accept services from other FIP resources and to use the services so exchanged to enable them to operate effectively together.

**Long distance telephone service** means any service or facility purchased with Government funds for completing telephone calls outside of the local service area.

**Lowest overall cost** means the least expenditure of funds over the system life, price and other factors considered, including, but not necessarily limited to—

- (a) Prices for the FIP resources;

(3) Of other administrative efforts directly related to the acquisition process.

**Mail** means letters, telecommunications, memoranda, post cards, documents, packages, publications, and other communications received for distribution or dispatch.

**Most advantageous alternative** means the alternative that provides the greatest value to the Government over the system life in terms of price or cost, quality, performance, and any other relevant factors.

**National security and emergency preparedness (NSEP)** means those physical, technical, and administrative characteristics of FIP systems that will ensure a prescribed level of survivability in times of national or other emergencies up to and including nuclear attack. Government common-use telecommunications systems are designed, built, tested, and maintained to meet the defined emergency mission needs of the Government entities that use them.

**Obsolescence** means the state of FIP hardware or software that is either in a degenerative condition which if not corrected will render the resource useless, or becoming technologically outmoded compared to other hardware or software being sold.

**Optional form** means a form developed by a Federal agency for use in two or more agencies and approved by GSA for nonmandatory Governmentwide use.

**Outdated FIP equipment** means any FIP equipment over six years old, based on the initial commercial installation date of that model of equipment, and that is no longer in current production.

**Overprinting** means the printing of pertinent identical entries (e.g., agency name and address) in a captioned area on a Standard or Optional form.

**Performance validation** means the technical verification of the ability of a proposed FIP system configuration or replacement component to meet agency-specified performance requirements.

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(d) Acceptance testing with present operational software, data files, and workloads;

(e) "Stress testing" with exaggerated workload volumes;

(f) Modeling of the interaction of the new information processing system and its workload;

(g) Benchmarking as defined in applicable FIPS PUBS; and

(h) Simulation modeling of FIP system performance, defined to mean the development and use of computer models for the study of actual or postulated workloads on simulated FIP systems.

**Radar equipment** means any radio detection device that provides information on range, azimuth, or elevation of objects.

**Radio equipment** means any equipment or interconnected system or subsystem of equipment (both transmission and reception) that is used to communicate over a distance by modulating and radiating electromagnetic waves in space without artificial guide. This does not include such items as microwave, satellite, or cellular telephone equipment.

**Reassignment** means the transfer of other-than-excess FIP equipment or the transfer of FIP software, within an agency.

**Records** means all books, papers, maps, photographs, machine readable materials, or other documentary materials, regardless of physical form or characteristics, made or received by an agency of the United States Government under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the Government or because of the informational value of data in them. Library and museum material made or acquired and preserved solely for reference or exhibition purposes,

with respect to disposal of temporary records no longer necessary for the conduct of business by destruction or donation; transfer of records to Federal agency storage facilities or records centers; transfer to the National Archives of the United States of records determined to have sufficient historical or other value to warrant continued preservation; or transfer of records from one Federal agency to any other Federal agency.

**Records maintenance and use** means any activity involving location of records of a Federal agency; storage, retrieval, and handling of records kept at office file locations by or for a Federal agency; processing of mail by a Federal agency; or selection and utilization of equipment and supplies associated with records and copying.

**Records management** means the planning, controlling, directing, organizing, training, promoting, and other managerial activities involved with records creation, records maintenance and use, and records disposition in order to achieve adequate and proper documentation of the policies and transactions of the Federal Government and effective and economical management of agency operations (44 U.S.C. 2901(2)).

**Report** means data or information which is transmitted for use in determining policy; planning, controlling, and evaluating operations and performance; making administrative decisions; or preparing other reports. The data or information may be in narrative, statistical, graphic, or other form and may be on paper, magnetic tape, or other media.

**Reuse** means the subsequent use of FIP equipment after it is no longer needed for the purpose for which it was originally acquired.

**Sensitive information** means any information, the loss, misuse, or unauthorized access to or modification of which could adversely affect the national interest or the conduct of Federal programs,

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(a) **Application software** means a series of instructions or statements in a form acceptable to a computer, designed to cause the computer to execute an operation or operations necessary to process requirements. Application software may be either machine-dependent or machine-independent and may be general-purpose or designed to satisfy the requirements of a specialized process or a particular user.

(b) **Common-use software** means software that deals with applications common to many agencies, that would be useful to other agencies, and is written in such a way that minor variations in requirements can be accommodated without significant programming effort.

**Sonar equipment** means an apparatus that detects the presence and location of a submerged object by means of sonic, subsonic, or supersonic waves reflected back to it from the object.

**Specific make and model specification** means a description of the Government's requirement for FIP resources that is so restrictive that only a particular manufacturer's products will satisfy the Government's needs, regardless of the number of suppliers that may be able to furnish that manufacturer's products.

**Standard form** means a form prescribed by a Federal agency, pursuant to its authority, and approved by GSA for mandatory Governmentwide use.

**Surplus** means any excess Government-owned FIP equipment not required for the needs of Federal agencies as determined by the Administrator of General Services.

**System life** means a projection of the time period that begins with the installation of the FIP resource and ends when the agency's need for that resource has terminated.

**Telecommunications Device for the Deaf (TDD)** means a machine that uses typed input and output, usually with a visual text display, to enable individuals with hearing or speech impairments to

**Telecommunications resources** means telecommunications equipment, facilities, and services.

**Telecommunications services** means the transmission, emission, or reception of signals, signs, writing, images, sounds, or intelligence of any nature, by wire, cable, satellite, fiber optics, laser, radio, or any other electronic, electric, electromagnetic, or acoustically coupled means. The term includes the telecommunications facilities necessary to provide such services.

**Telecommunications switching function** means any service or equipment that has a primary function to switch telephone calls at a location. This term excludes service or equipment necessary to meet agency requirements that cannot be met by an existing switching function.

**Television equipment** means any equipment (both transmission and reception) used for the conversion of transient visual images into electrical signals that can be transmitted by radio or wire to distant receivers where the signals can be reconverted to the original visual images. This does not include such items as monitors for computers or computer terminals or video conferencing equipment.

**Toll-free telephone service** means any incoming circuit arrangement that allows the public to make long distance telephone calls to authorized locations at Government expense. Toll-free telephone service is used for providing or obtaining information concerning Government programs, such as social welfare, disaster aid, veterans affairs, and income tax assistance.

#### **§ 201-4.002 Acronyms.**

"ANSI" means American National Standards Institute.

"ADP" means automatic data processing.

"ADPE" means automatic data processing equipment.

"ADPE/DS" means Automatic data processing equipment/data system.

**"FED-STD"** means Federal Telecommunications Standards.  
**"FIP"** means Federal information processing.  
**"FIPS"** means Federal Information Processing Standards.  
**"FIPS PUBS"** means Federal Information Processing Standards Publications.  
**"FIRM"** means Federal Information Resources Management Regulation.  
**"FMSS"** means financial management systems software.  
**"FPMR"** means Federal Property Management Regulations.  
**"FR"** means Federal Register.  
**"FSTS"** means Federal Secure Telephone Service.  
**"GAO"** means General Accounting Office.  
**"GPO"** means Government Printing Office  
**"GSA"** means General Services Administration.  
**"GSBCA"** means General Services Board of Contract Appeal..  
**"ICMR"** means Interagency Committee on Medical Records.  
**"IRM"** means information resources management.

Records Administration.  
**"OAC"** means Original Acquisition Cost.  
**"OMB"** means Office of Management and Budget.  
**"POTS"** means Purchase of Telephones and Services.  
**"PRA"** means Paperwork Reduction Act of 1980, as amended.  
**"U.S.C."** means United States Code.  
**"USPS"** means United States Postal Service.  
**§201-4.003** Applicable OMB Circulars.  
 The following applicable OMB Circulars may be obtained from the OMB Publications office by calling (202) 395-7332:  
 A-11 Preparation and submission of budget estimates.  
 A-94 Benefit-cost analysis of Federal programs; guidelines and discounts.  
 A-109 Major system acquisition.  
 A-127 Financial management systems.  
 A-130 Management of Federal information resources.

concept that information is a valuable asset and should be managed as such. The Act requires that the head of each executive agency designate a senior official who shall report to the agency head and be responsible for carrying out the agency's information resources management (IRM) responsibilities. The Paperwork Reduction Act is administered by the Office of Management and Budget (OMB) and is primarily implemented in OMB Circular No. A-130. The information management goals of the Paperwork Reduction Act are to—

- (1) Reduce the paperwork burden the Federal Government imposes on the public and on State and local governments;
- (2) Minimize the cost to the Federal Government of collecting, maintaining, using, and disseminating information;
- (3) Maximize the usefulness of information collected, maintained, and disseminated by the Federal Government;
- (4) Coordinate, integrate, and where practical, make uniform, Federal information policies and practices; and
- (5) Ensure that FIP resources are acquired and used by the Federal Government in a manner which improves service delivery and program management, increases productivity, improves the quality of decisionmaking, reduces waste and fraud, and reduces the information collection burden on the public; and
- (6) Ensure that the collection, maintenance, use, and dissemination of information by the Federal Government is consistent with applicable laws, regulations, and executive orders.

(b) GSA's Governmentwide role in information management stems from its records management authorities and responsibilities under the National Archives and Records Administration Act of 1984 (Public Law 98-497, 44 U.S.C. Ch. 29), and its responsibilities under section 111 of the Federal Property and Administrative

to—

- (a) Manage information as a valuable asset throughout its life cycle, from collection or creation through disposition;
- (b) Plan for the steps in the information life cycle;
- (c) Understand their information requirements before determining their requirements for FIP resources;
- (d) Establish an active and continuing program for economical and efficient management of the agency's records, as required by 44 U.S.C. 3102;
- (e) Manage agency records, irrespective of the medium (paper, electronic, or other) on which the record is created, used, or filed;
- (f) Ensure that individuals responsible for implementing the agency's records management programs participate in the agency's strategic planning process and in the determination of the agency's information needs and FIP resources requirements;
- (g) Ensure that individuals with disabilities can produce information and data, and have access to information and data, comparable to the information and data, and access, respectively, of other individuals;
- (h) Ensure that individuals responsible for information management have proven records and information management competencies through a combination of IRM training, work experience, and IRM related certification programs;
- (i) Ensure that the agency's records can be accessed quickly and reliably;
- (j) Keep the agency's mailing, copying, and filing costs at a minimum, consistent with program requirements;
- (k) Control the creation of correspondence to ensure that the agency creates timely, responsive correspondence that is properly coordinated and consistent in tone, style, and presentation;

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on which agencies determine their information processing requirements. An agency cannot determine its requirements for FIP resources unless it adequately plans for and understands its information requirements.

(b) The Paperwork Reduction Act, (44 U.S.C. Chapter 35) OMB Circulars No. A-11, and No. A-130, and the Computer Security Act of 1987 (Public Law 100-235, 101 Stat. 1724 (40 U.S.C.759) requires agencies to conduct various information resources management (IRM) planning activities. OMB Circular No. A-130 (appendix IV) states that executive agencies must plan for how they will process and transmit information, how they will use it, what provisions they will make for access to it, whether and how they will disseminate it, how they will store it, and finally, how they will dispose of the information.

(c) The General Services Administration (GSA) and the National Archives and Records Administration (NARA) help agencies with their IRM planning by issuing handbooks and other guidance documents. Comprehensive IRM strategic, program, and information planning services are available, on a cost-reimbursable basis, through GSA's Office of Technical Assistance.

#### **§ 201-7.002 Policies.**

Federal agencies shall establish strategic planning processes to—

(c) Ensure that the agency's information needs are documented on a timely basis, for example when conducting a requirements analysis for FIP resources.

#### **§201-7.003 Procedures.**

To determine information requirements and to help determine requirements for FIP resources, agencies shall consider the following factors:

(a) Essential records and information required to support current and future program and mission needs.

(b) Available sources of information.

(c) Public access requirements, including Freedom of Information Act requirements (5 U.S.C. 552).

(d) The need to provide information to and obtain information from other agencies.

(e) Information security (40 U.S.C. 759 Note) and Privacy Act requirements (5 U.S.C. 552a).

(f) Requirements to disseminate and store information and to carry out its authorized disposition.

(g) Information format, medium, quantity, integrity, and timeliness requirements.

(h) The integration of electronic records with other agency records. (See FIRMR Bulletin B-1.)



coordination with budget activities, a 5-year plan to meet the agency's information technology needs;

(b) Base requirements for FIP resources on agency mission, programs, and related information needs;

(c) Consider the potential for deploying projected technological advances of FIP resources to enhance future performance of programs and operations in support of the agency mission;

(d) Acquire FIP resources that result in the most advantageous alternative to the Government after consideration of--

(1) Sharing and reuse of existing FIP resources,

(2) Use of General Services Administration (GSA) services, and

(3) Acquisition of agency resources by contracting;

the maximum extent practicable;

(h) Acquire resources that comply with Federal standards;

(i) Provide for security of resources, protection of information about individuals, continuity of operations, and national security and emergency preparedness;

(j) Provide individuals with disabilities (employees and others who create and/or use the agency's information and data) the ability to produce information and data, and have access to information and data, comparable to the information and data produced and accessed by other individuals;

(k) Provide telecommunications access to hearing and speech impaired individuals;

(l) Review and evaluate existing resources and related management and acquisition activities on an ongoing basis;

(m) Replace outdated resources that are no longer the most advantageous alternative for satisfying the agency's requirements; and

(n) Acquire microcomputers, monitors, and printers that are energy efficient.

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(a) 44 U.S.C. 3506(c)(8) (the Paperwork Reduction Reauthorization Act of 1986) requires executive agencies to develop and annually revise a 5-year plan for meeting the agency's information technology needs.

(b) Office of Management and Budget (OMB) Circular No. A-130 requires executive agencies to establish multiyear strategic planning processes for acquiring and operating information technology that meet program and mission needs, reflect budget constraints, and form the basis for their budget requests.

(c) OMB Circular No. A-11 requires executive agencies to prepare and submit annual agency-wide "Major Information Technology Acquisition Plans."

(d) The Computer Security Act of 1987 (Public Law 100-235, 40 U.S.C. 759 Note) requires agencies to identify each FIP system that contains sensitive information and prepare a plan for the security and privacy of each such system.

(e) Section 508 of the Rehabilitation Act Amendment of 1992 (Pub L. 102-569, 29 U.S.C. 794d) requires the Federal Government to adopt guidelines for information and data accessibility designed to ensure that individuals with disabilities can produce information and data, and have access to information and data, comparable to information and data, and access, respectively, of other individuals. This Act requires that agencies comply with such guidelines. FIRMR Bulletin C-8, provides guidance on planning for FIP resources to accommodate the needs of individuals with disabilities.

(f) The General Services Administration (GSA) helps agencies with their IRM planning by issuing handbooks, bulletins, and other guidance documents. IRM planning services are available, on a cost-reimbursable basis, through GSA's Office of Technical Assistance.

#### **§ 201-18.002 Policies.**

(a) Agencies shall develop a 5-year plan for meeting the agency's information technology needs. This plan shall—

(1) Reflect current and future program and mission needs;

(2) Consider the potential for deploying projected technological advances of FIP resources to enhance future performance of programs and operations in support of the agency mission;

(3) Consider FIP resources needed to meet the national security and emergency preparedness needs of the agency;

(4) Reflect budget constraints;

(5) Form the basis for the agency's budget requests to OMB;

(6) Serve as the foundation for requirements analyses; and

(7) Be updated as needed, but at least annually.

(b) Agencies shall ensure that the IRM planning process includes the participation of each of the agency's program areas, as well as those organizations responsible for IRM (including records management), contracting, and budget preparation.

(c) Agencies shall adopt information and data accessibility guidelines similar to those described in FIRMR Bulletin C-8 in their planning process.

(d) Agencies shall ensure that acquisition of FIP resources is in accordance with the updated 5-year plan.

#### **§ 201-18.003. Procedure.**

Each agency shall send a copy of its annually revised 5-year plan, within 30 days after its preparation, to: General Services Administration, Acquisition Reviews Division (KAA), 18th & F Streets, NW, Washington, DC 20405.



(a) Acquisition, as used in this part—

(1) Consists of a series of steps beginning with the requirements analysis and ending with the implementation of the most advantageous alternative to satisfy the requirement; and

(2) Includes obtaining FIP resources both from sources external to the agency and through in-house sources or development.

(b) Acquisition by contracting is addressed in part 201-39.

(c) Technical assistance in support of acquisitions is available, on a cost reimbursable basis, through GSA's Office of Technical Assistance.

## **Subpart 201-20.1—Requirements Analysis**

### **§ 201-20.100 Scope of subpart.**

This subpart prescribes policies and procedures for determining requirements for FIP resources.

### **§ 201-20.101 General.**

The requirements analysis is used to determine and document requirements for FIP resources. It provides the basis on which the alternatives for meeting the requirements can be analyzed.

### **§ 201-20.102 Policy.**

Agencies shall establish and document requirements for FIP resources by conducting a requirements analysis, or similar study, commensurate with the size and complexity of the need except for those acquisitions when the total dollar value of the FIP resources, including all optional quantities and periods over the life of the contract, does not exceed \$500,000. A requirements analysis shall not be performed when the value of the FIP resources does not exceed the \$500,000 threshold. An agency may follow its own internal procedure for documenting requirements valued at less than \$500,000. Agencies shall justify all requirements for other than full and open competition in accordance with FAR Part 6 whether or not a requirements analysis is performed.

needs by considering—

(a) Their need to provide information to and obtain information from the public and other agencies;

(b) Available sources of information;

(c) Information format, media, quantity, integrity, security, and timeliness requirements;

(d) Essential records and information required to support current and future program and mission needs;

(e) Agency records retention and disposition requirements and the need to assure archival acceptability of permanent or long-term records;

(f) The integration of electronic records with other agency records; and

(g) Existing or planned intra or interagency interoperability requirements.

### **§ 201-20.103-2 System life.**

Agencies shall establish a system life as a part of the requirements analysis. If the acquiring activity can predict reuse of the FIP resource by another component within the agency after it no longer meets the acquiring activity's needs, the reuse period shall be included in the system life.

### **§ 201-20.103-3 Description of requirements.**

Agencies shall—

(a) Base requirements on mission needs expressed in the form of opportunities for increased economy and efficiency, new or changed program requirements, or deficiencies in existing capabilities;

(b) Describe requirements in terms of functions to be performed and performance to be achieved, unless a more restrictive statement of requirements is necessary to satisfy the needs of the agency;

(c) Describe requirements in a manner that will attain full and open competition when contracting for FIP resources unless other than full and open competition is justified in accordance with subpart 201-39.6 and FAR part 6;

(d) Document in the requirements

**§ 201-20.103-4 Compatibility-limited requirements.**

(a) Agencies shall establish compatibility-limited requirements for FIP resources only to the extent necessary to satisfy the needs of the agency.

(b) Agencies shall justify compatibility-limited requirements for FIP resources on the basis of at least one of the following:

(1) The agency has technical or operational requirements for compatibility when adding resources to, or replacing a portion of, an installed base of resources, and the agency determines that replacing additional portions of the installed base to avoid compatibility-limited requirements is not advantageous to the Government; or

(2) The agency determines that the risk and impact of a conversion failure on agency critical mission needs would be so great that acquiring non-compatible resources is not a feasible alternative.

**§ 201-20.103-5 Justification for specific make and model.**

Technical and requirements personnel shall justify a requirement that can only be met by specific make and model resources in accordance with subpart 201-39.6.

**§ 201-20.103-6 Security requirements.**

Agencies shall—

(a) Identify security and privacy requirements in the requirements analysis;

(b) Identify security requirements necessary to protect classified and sensitive information by listing the potential threats and hazards and describing the measures needed to provide protection; and

(c) Identify physical and environmental security safeguards.

**§ 201-20.103-7 Accessibility requirements for individuals with disabilities.**

(a) Agencies shall acquire FIP resources that allow individuals with disabilities to

speech-impaired individuals to the extent both present and future needs for such access are identified in the requirements analysis. Telecommunications access for hearing and speech impaired individuals shall include education and training on the services and features of the GSA relay service.

(1) Agencies shall publish access numbers for TDD and TDD-related devices in telephone directories and provide such agency numbers to GSA for inclusion in the Federal TDD Directory.

(2) Agencies shall display in their buildings or offices the standard logo specified by GSA for indicating the presence of TDD or TDD-related equipment.

(c) Agencies shall consider the guidance contained in FIRMR Bulletins C-8 and C-10 on the subject of accessibility requirements for individuals with disabilities.

**§ 201-20.103-8 Space and environmental requirements.**

Agencies shall consider space and environmental factors when conducting the requirements analysis.

**§ 201-20.103-9 Workload and related requirements.**

As a minimum, agencies shall document in the requirements analysis the following factors, as applicable:

(a) Projected processing, storage, data entry, communications, and support services workload requirements over the system life and how best to address workload uncertainties.

(b) Expandability requirements.

(c) A performance evaluation of currently installed FIP resources.

(d) Contingency requirements for FIP resources whose loss or failure would prevent the agency from performing its mission, or have an adverse effect on the nation.

(e) Other requirements that must be met or constraints that must be considered.

(a) Agencies shall include requirements for energy efficiency in the requirements analysis. At a minimum, agencies shall require that microcomputers, including personal computers, monitors, and printers, acquired by the agency be equipped with the energy efficient low-power standby feature as defined by the Environmental Protection Agency Energy Star computer program, unless the equipment meets the Energy Star requirements at all times. To the extent permitted by law, agencies shall include this specification in all existing contracts, if any additional costs would be offset by the potential energy savings.

(b) Agencies shall consider the guidance contained in FIRMR Bulletin C-35 in developing their requirements and for the specific procedure for reporting exempted acquisitions.

(c) Agencies shall report annually, by October 18 on acquisitions exempted from this requirement. Reports shall be sent to: GSA, Acquisition Reviews Division (KMA), 18th & F Streets, NW, Washington DC 20405.

(d) Agencies shall ensure that Federal users are made aware of the significant economic and environmental benefits of the low energy efficient power standby feature and its aggressive use by including this information in routine computer training courses.

## **Subpart 201-20.2—Analysis of Alternatives**

### **§ 201-20.200 Scope of subpart.**

This subpart prescribes policies and procedures for identifying and analyzing feasible alternatives that satisfy requirements for FIP resources.

### **§ 201-20.201 General.**

(a) The statement of requirements resulting from the requirements analysis is the basis on which the analysis of alternatives is conducted. The purpose of the analysis of alternatives is to compare and

### **§ 201-20.202 Policy.**

Using the results of the requirements analysis as the basis, agencies shall conduct an analysis of alternatives commensurate with the size and complexity of the requirement to identify the most advantageous alternative to the Government. The number of the alternatives analyzed should be limited to those considered the most feasible to be implemented. Agencies shall not conduct analyses of alternatives for those acquisitions where the total dollar value of the FIP resources, including all optional quantities and periods over the life of the contract, does not exceed \$500,000. Agencies shall instead follow their own internal procedures to identify the most advantageous alternative.

### **§ 201-20.203 Procedures.**

The General Services Administration (GSA) has established various programs to satisfy agencies' requirements for FIP resources. Part 201-24 describes these programs and the extent to which their use or consideration is mandatory.

#### **§ 201-20.203-1 Consideration of alternatives.**

(a) Agencies shall—

(1) Conduct market research to determine the availability of technology to meet their requirements and to assist in identifying feasible alternatives;

(2) Use GSA's mandatory-for-use programs described in subpart 201-24.1 when their requirements can be met by these programs, unless they have requested and received an exception to the use of these programs from GSA;

(3) Use GSA's mandatory-for-consideration programs described in subpart 201-24.2 when their requirements can be met by those programs and using them is the most advantageous alternative to the Government;

(4) Consider using FIP resources available for reuse within the agency and

requirements.

**§ 201-20.203-2 Cost for each alternative.**

(a) In the analysis of alternatives, agencies shall calculate the total estimated cost, using the present value of money, for each of the most feasible alternatives unless the anticipated cost of the acquisition is \$1,000,000 or less. The total estimated cost for each alternative shall include system life cost for that alternative and any other costs that can be identified with the alternative incurred either before or after the system life period.

(b) When the anticipated cost of the acquisition is \$1,000,000 or less, the analysis may be limited to demonstrating that the benefits of the acquisition will outweigh the costs.

(c) Agencies shall follow guidance in OMB Circular No. A-94, when calculating the cost of each alternative.

**§ 201-20.203-3 [Reserved]**

**§ 201-20.203-4 Conversion.**

(a) When evaluating alternatives, it is important for the Government to consider its investment in FIP resources that may have to be converted, replaced, or disposed of, as a result of the alternative selected. Therefore, as part of the analysis of alternatives, agencies shall consider the costs, risk, and magnitude of conversion from installed FIP resources to augmentation or replacement resources.

(b) To achieve the above, agencies shall perform a conversion study, commensurate with the size and complexity of the requirement, for all acquisitions of FIP resources, except for—

(1) Initial acquisitions where no FIP resources exist;

(2) Acquisitions of FIP equipment peripherals only; or

(3) The exercise of a purchase option under a leasing agreement.

(c) In determining conversion costs, agencies shall include any cost of conversion

software, data bases, and files.

(3) Development of documentation for existing FIP application software.

(4) Improvements in management and operating procedures.

(d) In performing a conversion study, agencies shall consider the guidance contained in FIRMR Bulletin C-14 on this subject.

**§ 201-20.203-5 Obsolescence.**

As part of the analysis of alternatives, agencies shall determine strategies for maintaining up-to-date FIP resources and avoiding outdated FIP resources over the system life.

**Subpart 201-20.3—Implementation**

**§ 201-20.300 Scope of subpart.**

This subpart prescribes the policies and procedures for implementing the most advantageous alternative selected as a result of the analysis of alternatives.

**§ 201-20.301 General.**

Implementation includes the activities in the acquisition phase, following the analysis of alternatives and selection of the most advantageous alternative, that are necessary to prepare the selected alternative for operation.

**§ 201-20.302 Implementation plan.**

(a) *Policy.* Agencies shall develop an implementation plan, commensurate with the size and complexity of the selected alternative, for implementing FIP resources.

(b) *Procedures.*

(1) The agency shall designate an individual to be responsible for executing each implementation plan.

(2) The plan shall describe tasks, responsibilities, resources, and schedules needed to ensure successful implementation.

**§ 201-20.303 Standards.**

(a) *Scope.* This section prescribes policies and procedures for the use of Federal

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standards. The index contains information about applicability for each standard and terminology for including standards in solicitations. Copies can be purchased from: U.S. Government Printing Office, Superintendent of Documents, Washington, DC 20402. FIRM Bulletin C-3 contains additional information about the index.

(2) *Types of Federal standards—*

(i) *Federal Information Processing Standards (FIPS).*

(A) FIPS are automatic data processing standards developed and issued by the National Institute of Standards and Technology (NIST) after approval by the Secretary of Commerce, as part of their Federal Information Processing Standards Publications (FIPS PUBS) series.

(B) Public Law 99-500 Title VIII, the "Paperwork Reduction Reauthorization Act of 1986," modified the definition of automatic data processing equipment (ADPE) to include most telecommunications equipment and services. Public Law 100-235, the "Computer Security Act of 1987," expressly provided the Secretary of Commerce authority for promulgating NIST developed Federal computer system standards, which were defined to encompass all ADPE standards. All such ADPE standards are called FIPS.

(ii) *Federal Telecommunications Standards (FED-STDS).*

(A) FED-STDS are official Federal Government publications relating to standards developed by the National Communications System under delegation from GSA. FED-STDS include those categories in the Federal Supply Class (FSC) of "Telecommunications" of the Federal Standards Program not redefined as ADPE by Public Law 99-500.

(B) FED-STDS relating to ADPE that were in existence when Public Law 99-500 was enacted are covered by the modified definition of ADPE in Public Law 99-500 and therefore fall under the authority of NIST.

(vi) Telecommunications standards (i.e., FED-STDS) including those FSC telecommunications items not redefined as ADPE by Public Law 99-500. These standards are developed by the National Communication System and managed by GSA.

(vii) Computer-related telecommunications standards including those FSC telecommunications items redefined as ADPE by Public Law 99-500. These standards are issued by NIST as FIPS.

(c) *Policies.*

(1) Technical and requirements personnel shall—

(i) Review each standard to determine its applicability to each requirement; and

(ii) Work with contracting officials to ensure that all applicable Federal standards are specified in any resulting solicitation.

(2) Agencies are encouraged to apply interim Federal standards when acquiring and using FIP resources. Agencies shall develop appropriate terminology for use in solicitations that is consistent with the intended use of the interim standard.

(3) When Federal standards do not exist for FIP resources being acquired, agencies should consider the use of voluntary standards, both domestic and international.

(4) In cases where no Federal, National, or International Standards exist, agencies shall consider the development and use of agency-unique standards, provided such use is not in violation of the full and open competition requirements of Public Law 98-369, Title VII, the "Competition in Contracting Act." The use of agency-unique standards shall be coordinated with NIST.

(5) The agency head may allow the use of alternate standards for the acquisition and use of computer security items. Such standards must be more stringent than the applicable Federal standards and contain, at a minimum, the functional provisions of the

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FIP resources. Such waivers by agency heads shall be in accordance with the conditions and notification procedures specified by the Secretary of Commerce. If an individual FIPS is waived, a deviation from the FIRMR is not required.

(2) *Exceptions.* An agency had my grant an exception to the mandatory use of a FED-STD upon receipt of adequate documentation. If an agency head grants an exception to the use of an individual FED-STD, a deviation from the FIRMR is not required. However, GSA must be notified at least 30 days prior to issuing a solicitation for which an exception has been granted. Notification shall be sent to: General Services Administration, and Regulations Analysis Division, (KAR), 18th & F Streets, NW, Washington, DC 20405.

**§ 201-20.304 Capability and performance validation.**

(a) *Policy.* When acquiring FIP resources, agencies shall use the capability and performance validation techniques that the agency determines are necessary to ensure that requirements are satisfied.

(b) *Procedures.*

(1) In determining the capability and performance validation techniques to be used, agencies should consider the guidance contained in FIRMR bulletins. (For complex acquisitions agencies should also consider the guidance in GSA handbooks.) The provisions of FIRMR bulletins and GSA handbooks are not mandatory for use by agencies.

(2) When a benchmark is used as part of performance validation, agencies shall ensure that the FIP software selected for the benchmark is representative of actual requirements and requires the minimum amount of reprogramming or conversion.

**§ 201-20.305 Delegation of GSA's exclusive procurement authority.**

(a) *General.*

(i) Regulatory delegations as provided by this section.

(ii) A specific agency delegation.

(iii) A specific acquisition delegation.

(2) The DPAs discussed in this section are given to the agency's DSO, when GSA determines that such officials are sufficiently independent of program responsibility and have sufficient experience, resources, and ability to fairly and effectively carry out procurements under GSA's authority as provided by 40 U.S.C. 759(b)(3).

(3) The agency's DSO should redelegate, at a minimum, 25 percent of the monetary value of GSA's delegated exclusive authorities for FIP resources to qualified officials possessing the expertise to conduct and manage FIP acquisitions.

(4) Such redelegation shall not relieve the agency's DSO of the responsibility for conduct of and accountability for acquisitions of FIP resources made under a DPA from GSA.

(5) DSO's who elect not to redelegate at least 25 percent of the monetary value of the delegated authority, or who withdraw a delegation, shall advise GSA/MKA, 18th and F streets, NW., Washington, DC 20405, in writing, of the circumstances involving such redelegations and their plan regarding redelegations within the agency.

(6) Under this section:

(i) Agencies will justify their information technology acquisition requirements in terms of functional and measurable outcomes for the client and the taxpayer.

(ii) GSA will continually review acquisitions performed under its authorities with the goal of assisting agencies to meet acquisition requirements and achieving favorable prices compared to market trends. Programs not proceeding as planned are subject to withdrawal of delegated

(1) Agencies shall procure FIP resources under GSA's exclusive procurement authority.

(2) Agencies shall not fragment requirements for FIP resources in order to circumvent established delegations of procurement authority thresholds.

(3) Agencies shall consider severing requirements for FIP resources from requirements for other resources and contracting for FIP resources under a delegation when—

(i) The requirement for FIP resources can be clearly identified and explicitly stated in a solicitation;

(ii) The technical and operational needs can be satisfied by severing requirements for FIP resources from requirements for other resources;

(iii) The items can be acquired by the Government and delivered to the contractor as required by the production schedule;

(iv) Adequate price competition can be achieved on the FIP resources portion of the requirements;

(v) The expected cost reduction will exceed the added costs of the additional acquisition by contracting;

(vi) Severing will not affect the contractor's ability and responsibility to perform as required by the contract; and

(vii) The estimated dollar value of FIP resources explicitly required by the agency in the solicitation exceeds the thresholds for regulatory delegations specified in § 201-20.305-1.

(4) GSA retains the right to revoke or suspend any delegation when GSA determines that circumstances warrant such action.

(5) If an agency awards a contract that requires a DPA from GSA but a DPA has not been obtained from GSA, the agency may request authority from GSA's Office of Technology Policy and Leadership (KAA) to ratify the contract in accordance with FAR 1.602-3 (48 CFR 1.602-3). Procurement actions taken by the agency prior to receiving

dollar value of any of the FIP resources to be acquired under the contract, including all optional item and all option periods, does not exceed \$100 million, and if either paragraph (a)(1)(i),(ii) or (iii) of this section applies:

(i) The acquisition does not include telecommunications requirements within the scope of FTS2000 services or GSA's Consolidated Local Telecommunications Services Program; or requirements for telecommunications facilities or services at a location where the contract would result in more than one agency acquiring a telecommunications switching function at that location.

(ii) The agency has an exception to the use of FTS2000 services or GSA's Consolidated Local Telecommunications Services Program.

(iii) The acquisition includes telecommunications requirements within the scope of FTS2000 services or GSA's Consolidated Local Telecommunications Services Program, and the telecommunications facilities or services are acquired through the use of FTS2000 or GSA's Consolidated Local Telecommunications Services Program.

(2) FIP related supplies regardless of cost.

(3) Use or acquisition of FIP resources from the following GSA contracting programs do not require delegations of procurement authority from GSA:

(i) FTS2000 Program.

(ii) Consolidated Local Telecommunications Services Program.

(iii) Financial Management Systems Software Multiple Award Schedule Contracts Program.

(iv) Purchase of Telephones and Services Program.

(v) Other multiagency services and contracts provided by GSA's Information Resources Management Service (IRMS) unless the service results in a contract which

(b) When FIP equipment, software, services, and support services (or any combination thereof) are combined and acquired under a single contract action, a specific acquisition delegation shall be required when the dollar value of all combined resources exceeds the regulatory dollar thresholds in paragraph (a)(1) of this section, or any specific agency delegation threshold.

(c) When an agency acquires FIP resources through the Small Business Administration's 8(a) Program, the regulatory delegations in paragraph (a)(1) above apply unless an agency is granted specific agency delegations with different thresholds. If a requirement to be satisfied through the 8(a) Program is for a specific make and model or is one that is available from only one responsible source, the lower of the two specific agency delegation thresholds (or, if none exists, the FIRMR regulatory delegation thresholds) applies. For all other acquisitions, the higher of the two specific agency delegation thresholds (or, if none exists, the FIRMR regulatory delegation thresholds) apply. For acquisitions conducted through SBA's 8(a) Program, a requirement available from only one responsible source is one for which only one source of supply or service exists. The fact that the requirement is directed to one particular source under SBA's 8(a) Program does not necessarily mean the requirement is available from only one responsible source. When using an indefinite delivery, indefinite quantity contract, the FIRMR thresholds apply to the maximum value of all combined FIP resources (including optional periods and quantities), not the minimum guaranteed value.

**§ 201-20.305-2 Specific agency delegations.**

The Commissioner, Information Resources Management Service, GSA, or a designee may authorize a DPA for FIP resources for individual agencies or their components that modifies the conditions of regulatory

**§ 201-20.305-3 Specific acquisition delegations.**

(a) Agencies shall submit an agency procurement request (APR) to GSA and receive a specific acquisition DPA if the acquisition is not covered by a regulatory or specific agency DPA. Procedures for requesting a DPA for a specific acquisition are provided in FIRMR Bulletin C-5.

(b) GSA may require agencies to submit post delegation information such as contract award, milestone schedules, contract costs, program performance measures, and technology costs.

**§ 201-20.306 Delegation of GSA's multiyear contracting authority for telecommunications resources.**

Executive agencies are authorized to enter into multiyear contracts for telecommunications resources subject to the following conditions:

(a) The agency shall have a delegation of GSA exclusive procurement authority for FIP resources.

(b) The contract life including options, shall not exceed 10 years.

(c) Agencies shall comply with OMB budget and accounting procedures relating to appropriated funds.

201-21.200 Scope of subpart.  
201-21.201 General.  
201-21.202 Policy.  
201-21.203 Procedures.

**Subpart 201-21.3—Security and Privacy**

201-21.300 Scope of subpart.  
201-21.301 General.  
201-21.302 Policy.  
201-21.303 Procedures.

**Subpart 201-21.4—Resource Sharing**

201-21.400 Scope of subpart.

201-21.500 Scope of subpart.  
201-21.501 General.  
201-21.502 Policy.

**Subpart 201-21.6—Use Of Government Telephone Systems**

201-21.600 Scope of subpart.  
201-21.601 Authorized use of long distance telephone services.  
201-21.602 Collection for unauthorized use.  
201-21.603 Listening-in to or recording telephone conversations.

*Authority:* 40 U.S.C. 486(c) and 751(f).



## **Subpart 201-21.2—Inventories**

### **§ 201-21.200 Scope of subpart.**

This subpart contains policies and procedures for maintaining inventories of FIP resources, including requirements for agencies to submit inventory reports to the General Services Administration (GSA).

### **§ 201-21.201 General.**

(a) GSA facilitates the Governmentwide management of FIP resources by requiring agencies to submit periodic and special inventory reports of certain FIP resources. The periodic report is a submission to GSA's Automatic Data Processing Equipment/Data System (ADPE/DS). Procedures for making reports and submissions are contained in the "GSA ADPE/DS Reporting Procedures and Users Manual."

(b) The manual specifies the items that shall be reported, the frequency and format of the report, and other reporting procedures. Copies are available from: General Services Administration, Federal Data Systems Division (WKH), National Capital Region, 7th & D Streets, SW, Washington, DC 20407.

(c) From time to time, GSA also requires agencies to submit special inventory reports of items not covered by the ADPE/DS periodic report.

### **§ 201-21.202 Policy.**

Agencies shall maintain inventories of their FIP resources to the extent necessary to—

(a) Ensure adequate and appropriate FIP resources to support the agency mission;

(b) Identify FIP resources that are outdated or no longer needed;

(c) Serve as the basis for the 5-year plan for meeting the agency's information technology needs and to help determine requirements for replacement of FIP resources;

(d) Ensure that the agency is paying for only those resources that it is using, and cancels leases for underutilized resources;

(e) Ensure accountability for Government property; and

(f) Meet GSA requests for periodic or

ADPE/DS is assigned report control number 0312-GSA-QU.

(b) Each agency shall periodically survey its FIP resources (excluding FIP supplies). The agency shall survey annually those FIP resources for which the agency is paying a recurring charge, such as customer premises equipment and software licenses. The agency may conduct such surveys by using sampling techniques, but shall conduct a complete survey at least once every 3 years and in any year in which sampling shows significant discrepancies.

(c) Each agency shall comply with GSA requests for special inventory reports.

## **Subpart 201-21.3—Security and Privacy**

### **§ 201-21.300 Scope of subpart.**

This subpart prescribes policies and procedures regarding security of FIP resources, including privacy safeguards for those FIP resources that process information about individuals.

### **§ 201-21.301 General.**

(a) The Office of Management and Budget (OMB), the Office of Personnel Management (OPM), the Department of Commerce (DOC), and GSA are responsible for issuing Governmentwide policies, procedures, standards, and guidance regarding the privacy of individuals and the security of systems and services that process sensitive information. OMB Circular No. A-130 explains the specific responsibilities of these central management agencies and describes the minimum controls and requirements agencies shall follow when implementing and operating a security program.

(b) The Computer Security Act of 1987 (Public Law 100-235) requires agencies to identify each FIP system that contains sensitive information and to prepare a plan for the security and privacy of these systems. The Act also requires mandatory periodic training for all persons involved in the management, use, and operation of FIP systems that contain sensitive information.

maintained to safeguard the confidentiality, integrity, and availability of information, including prevention of loss from natural hazards, fire, and accidents; and

(c) FIP resources are operated and maintained in a manner that protects the personal privacy of individuals.

#### **§ 201-21.303 Procedures.**

Agencies shall—

(a) Continually review operations to ensure security and privacy safeguards are implemented, operated, and maintained as intended, and that these safeguards continue to be effective;

(b) Continually monitor FIP systems that support Privacy Act "systems of records" or sensitive information to ensure protection is not compromised;

(c) Modify operations to counter changes in threats and hazards; and

(d) Consider the security and privacy guidance contained in FIRM Bulletin C-22, OMB Circular No. A-130 regulations of OPM, and publications issued by NIST.

### **Subpart 201-21.4—Resource Sharing**

#### **§ 201-21.400 Scope of subpart.**

This subpart describes policies and procedures for sharing of FIP resources.

#### **§ 201-21.401 General.**

(a) FIRM bulletins describe agency FIP facilities and services available for sharing.

(b) The sharing of software is managed under the Federal Software Exchange Program. FIRM Bulletin C-12 provides guidance on this program.

(c) OMB Circular No. A-130, establishes Governmentwide procedures for cost accounting and recovery for shared resources.

(1) Agencies shall contact GSA if they wish to include their excess capacity of FIP resources available for sharing in those FIRM bulletins describing sharing opportunities.

(2) Each FIP resources facility shall report the total dollar amount charged to users (except those whom the facility has a primary responsibility to support) for the sharing of its resources during the preceding fiscal year if the total dollar amount charged to users exceeds \$100,000 during the fiscal year.

(i) Agencies may elect to submit reports on a summarized basis at any organizational level desired.

(ii) Agencies shall submit annual reports, no later than October 20, on GSA Form 2068A to: General Services Administration, Acquisition Reviews Division (KAA), 18th & F Streets, NW, Washington, DC 20405. Interagency reports control number 1106-GSA-AN has been assigned to this reporting requirement.

(b) *FIP software.* Agencies shall review their general purpose FIP software to identify software that may be of use to other agencies, and make such software available to the Federal Software Exchange Center (FSEC) in accordance with procedures specified in FIRM Bulletin C-12.

### **Subpart 201-21.5—Conversion**

#### **§ 201-21.500 Scope of subpart.**

This subpart addresses operating considerations that facilitate conversion of FIP resources.

#### **§ 201-21.501 General.**

(a) Management of an agency's software inventory and planning for future conversions will reduce the risk and cost of conversion, enhance competition, and improve the efficiency of operations.

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of conversion of FIP systems,

(b) Foster competition when contracting for replacement or augmentation of FIP resources,

(c) Ensure portability to facilities designated to meet the agency's contingency operating needs, and

(d) Enhance opportunities for sharing.

### **Subpart 201-21.6—Use of Government Telephone Systems**

#### **§ 201-21.600 Scope of subpart.**

This subpart discusses authorized use of telephone systems and facilities provided, paid for, or reimbursed by the Federal Government.

#### **§ 201-21.601 Authorized use of long distance telephone services.**

(a) *Scope.* This section describes policies and procedures for the use of Government-provided and commercial long distance telephone service paid for by the Government.

(b) *General.*

(1) Agencies should be familiar with the Office of Management and Budget (OMB) "Guidance on the Privacy Act Implications of Call Detail Programs to Manage Employees' Use of the Government's Telecommunications Systems" (52 FR 12990, April 20, 1987).

(2) Commercial long distance telephone bills must be certified in accordance with 31 U.S.C. 1348.

(3) FIRM Bulletin C-13 provides guidance on the management and control of long distance telephone costs.

(c) *Policy.*

(1) Telephone calls placed over Government-provided and commercial long distance systems that will be paid for or reimbursed by the Government, shall be used to conduct official business only.

(2) To the maximum extent practicable, Federal employees shall place calls on

(i) Use of any Government system or service, or any other telephone service, where the Government pays the cost of the long distance call, for other than official business, except emergency calls and calls the agency determines are necessary in the interest of the Government.

(ii) Making an unauthorized long distance telephone call with the intent to later reimburse the Government.

(iii) Listening-in to or recording telephone conversations except as specified in § 201-21.603.

(iv) Unauthorized use of telephone call detail data.

(d) *Procedures.* Official business calls may include emergency calls and other calls the agency determines are necessary in the interest of the Government. FIRM Bulletin C-13 provides examples of calls that may be considered necessary in the interest of the Government.

(1) Telephone calls may properly be authorized when they—

(i) Do not adversely affect the performance of official duties by the employee or the employee's organization;

(ii) Are of reasonable duration and frequency; and

(iii) Could not reasonably have been made at another time; or

(iv) Are provided for in a collective bargaining agreement that is consistent with these regulations.

(2) Personal long distance calls that must be made during working hours may be made over the commercial long distance network if consistent with the criteria in paragraph (d)(1) of this section and are—

(i) Charged to the employee's home phone number or other non-Government number (third-number call);

(ii) Made to an 800 toll-free number;

(iii) Charged to the called party if a non-Government number (collect call); or

calls necessary in the interest of the Government and shall include procedures for collection and reimbursement for unauthorized calls.

**§ 201-21.602 Collection for unauthorized use.**

(a) Agencies shall collect for any unauthorized calls if it is cost-effective to do so. Reimbursing the Government for unauthorized calls does not exempt an employee from appropriate administrative, civil, or criminal action.

(b) Agency collections shall include—

(1) The value of the call, computed on the basis of commercial long distance rates rounded to the nearest dollar; and

(2) An additional amount rounded to the nearest dollar to cover the administrative costs of determining that the call was unauthorized and processing the collection.

**§ 201-21.603 Listening-in to or recording telephone conversations.**

(a) *Scope.* This section describes the limited circumstances under which agencies are authorized to listen-in to or record telephone conversations.

(b) *General.* This section applies only to consensual listening-in or recording that takes place when at least one party to a telephone conversation knows it is happening or has given prior consent. It does not apply to listening-in or recording done without the knowledge of any of the parties to the conversation. Such activity is governed by the Omnibus Crime Control and Safe Streets Act of 1968, as amended (18 U.S.C. 2510 et seq.), the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), United States Intelligence Activities, Executive Order 12333, or any successor order.

(c) *Policy.* Agencies shall not listen-in to or record conversations on any GSA-provided telephone system, any telephone system acquired under a delegation of GSA procurement authority, or any telecommunications system approved in accordance with the Federal Property and Administrative Services Act of 1949, as

the agency head. These procedures shall be in conformance with applicable laws, regulations, and Executive orders governing such activities. Communications security monitoring shall be conducted following notice to a user of any system covered by this regulation pursuant to procedures approved by the Attorney General. Line identification equipment may be installed on telecommunications systems to assist Federal law enforcement officials in investigating threatening telephone calls, bomb threats, and other criminal activities. No invasion of privacy is involved, and such equipment does not violate the Privacy Act of 1974 or any Federal or State wiretap laws.

(2) *Public safety.* When performed by a Federal employee for public safety purposes and when documented by a written determination by the agency head or a designee citing the public safety needs. The determination shall identify the segment of the public needing protection and cite examples of the possible harm from which the public requires protection.

(3) *Employee with a disability.* When performed by a Federal employee with a disability, and when the head of the agency or a designee determines that the use of a listening-in or recording device is required for full performance of the duties of the employee's position description. The equipment shall be for the exclusive use of the employee with a disability. Conversations recorded or relayed by operators of telecommunications devices for the deaf (TDD) relay systems shall be held in confidence.

(4) *Public service monitoring.* When performed by an agency official to determine the quality of service, but only after an analysis of alternatives and a written determination by the agency head or a designee that telephone conversation monitoring is required to perform the agency mission.

(5) *All-party consent.* When performed by any Federal employee with the consent of all parties for each specific instance. This

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paragraph (c)(2), (3), or (4) of this section shall prepare a determination of need. A determination as used in this section means a written justification signed by the agency head or the agency head's designee, that specifies the operational need for listening-in to or recording telephone conversations; indicates the specific system and location where monitoring is to be performed; lists the number of telephones or recorders involved; and establishes operating times and an expiration date for the monitoring.

(2) Agencies shall review, at least every 2 years, the need for each determination authorizing listening-in or recording. Agency documentation to continue or terminate the program shall be maintained in agency files.

(3) Each agency that conducts listening-in or recording associated with public service monitoring shall establish controls and issue written policies and procedures that provide for—

(i) The agency head or designee to name in writing those agency officials authorized to listen-in to or record telephone conversations;

(ii) Continuous positive action to inform the public of monitoring;

(iii) No recording of identification of public callers;

(iv) Keeping the number of monitored calls to the minimum necessary to obtain a

(4) The recordings and records pertaining to listening-in to or recording of any conversations covered by this regulation shall be used, safeguarded, and destroyed in accordance with the agency records management program.

(e) *Use of recording devices.* When recording as permitted by § 201-21.603(c)(2), (3), and (4) of this section, agencies shall follow Federal Communications Commission rules on obtaining consent for recording telephone conversations on the nation's public networks (47 CFR 64.501). Proof of consent is the responsibility of the recording party. Agencies that authorize employees to record telephone conversations may obtain consent by—

(1) Prior mutual consent (oral or written) of all parties to the conversation;

(2) An oral notification recorded at the beginning, as a part of the call, by the recording party; or

(3) The automatic superimposing of a distinct signal (e.g., beep tone) at regular intervals during the conversation.

(f) *Emergency calls.* Agencies need not apply the beep tone or obtain all-party consent before recording calls made to telephone numbers publicized for emergencies or outgoing calls made in immediate response to such incoming calls.



and regulations.

## **Subpart 201-22.1—Federal Information Resources Management (IRM) Review Program**

### **§ 201-22.100 Scope of subpart.**

This subpart prescribes policies and procedures for the Federal Information Resources Management (IRM) Review Program as it relates to the management and use of information and to the acquisition, management, and use of FIP resources in executive agencies.

### **§ 201-22.101 General.**

(a) The Paperwork Reduction Act, as amended (44 U.S.C. 3501 et seq.) requires the Administrator of GSA to assist the Director of the Office of Management and Budget (OMB) in reviewing, at least once every 3 years, the information management activities of each executive agency. GSA has delegated much of its IRM review responsibilities under the Paperwork Reduction Act to each agency and serves as the focal agency for collecting, assessing, and reporting on IRM review results to OMB. GSA has additional review and oversight responsibilities under the Federal Property and Administrative Services Act and the National Archives and Records Administration (NARA) Act.

(b) The main objectives of the Federal IRM Review Program are to determine if agencies are—

(1) Carrying out their information management activities efficiently and effectively;

(2) Complying with established IRM policies, procedures, standards, and guidelines; and

(3) Complying with the responsibilities assigned by the Paperwork Reduction Act.

(c) Additional information on the Federal IRM Review Program is contained in the following GSA-issued documents:

(a) Have the authority to review programs, functions, and activities within the objectives and scope of IRM;

(b) Be responsive to established Governmentwide and agency-specific priorities; and

(c) Be responsible for meeting the reporting requirements of the Federal IRM Review Program.

### **§ 201-22.103 Procedures.**

(a) Each agency shall establish an IRM review capability commensurate with the scope and complexity of the agency mission and program objectives.

(b) Each agency shall develop for its own use, an IRM review plan that addresses, at a minimum, review priorities, objectives, compliance with 44 U.S.C. 3506, and planned reviews for the coming year.

(c) Each agency shall submit a report titled "Annual Executive Summary," to GSA by November 1st of each year in accordance with procedures established in FIRM Bulletin C-6. The report shall—

(1) Provide an overview and synopsis of the agency's previous year's IRM reviews;

(2) Evaluate how well the reviews met overall review objectives;

(3) Assess the benefits of the review effort to the agency;

(4) Demonstrate how the agency is complying with 44 U.S.C. 3506; and

(5) Describe planned review activities for the coming year.

(d) GSA may conduct separate reviews of agencies' IRM activities to complement and supplement agency efforts. Prior to a GSA-conducted review, the DSO will be informed of its scope and the manner in which it will be conducted.

## **Subpart 201-22.2—Information Resources Procurement and Management Review (IRPMR) Program**

**§ 201-22.201 General.**

(a) The IRPMR focuses on major agency programs and any related significant FIP resource acquisitions.

(b) GSA may use the results of an IRPMR to determine the level of procurement authority for FIP resources for an agency or its subagency components.

**§ 201-22.202 Policies.**

GSA will conduct periodic reviews of agency acquisitions of FIP resources to—

(a) Verify agency compliance with regulations and delegation of procurement authority (DPA) conditions or limitations;

(b) Assess GSA policies and procedures given to agencies; and

(c) Assess the agency's planning and control mechanisms regarding the use of the delegated authority to accomplish economical and efficient acquisition, management, and use of FIP resources.

**§ 201-22.203 Procedures.**

(a) *Agency action.*

(1) An agency shall submit comments to GSA on the factual content of a draft IRPMR evaluation report within 30 calendar days of receiving the report from GSA.

(2) Not later than 90 calendar days after the date GSA sends the final report to the agency, the agency shall submit an action plan to: GSA/KA, 18th & F Streets, NW, Washington, DC 20405.

(3) The action plan shall include the following items:

(i) Specific actions the agency plans to take on each evaluation report recommendation. If an agency does not plan to implement a recommendation, the agency shall document the reasons for not acting.

(ii) The proposed month and year for completing each planned action.

(4) The agency shall submit a progress report every 6 months to the address shown in paragraph (a)(2) of this section, until the action plan is implemented. Interagency report control number 0153-GSA-AR has been assigned to this report.

reports are no longer required;

(4) Take appropriate action when findings show the agency failed to comply with regulations or the conditions of a DPA; and

(5) Provide the broadest possible delegation of GSA's exclusive procurement authority for FIP resources to the agency, based on the agency's ability to carry out acquisitions in accordance with the policies and procedures in the FIRMR.

**Subpart 201-22.3—Obsolescence Review**

**§ 201-22.300 Scope of subpart.**

This subpart prescribes policies for reviewing installed FIP resources for obsolescence.

**§ 201-22.301 General.**

An obsolescence review is an analysis to determine whether system life cost savings are obtainable by acquiring newer technology resources relative to continued operation of existing outdated resources.

**§ 201-22.302 Policy.**

Agencies shall replace existing outdated FIP resources that are no longer the most advantageous alternative for meeting their requirements.

**§ 201-22.303 Procedures.**

(a) Agencies shall evaluate their existing outdated and/or obsolescent FIP resources to determine whether the cost of operating them is greater than the cost of acquiring and operating technologically newer resources. FIRMR Bulletin C-27 provides guidance that can be used for identifying obsolescent equipment.

(b) When the cost of operating existing outdated and/or obsolescent FIP resources is greater than the cost of acquiring and operating technologically newer resources, agencies shall replace the existing less cost effective resources.

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implements are mandatory for use requirements of the FTS2000 contracts.

#### **§ 201-24.001 General.**

(a) In accordance with § 201-20.203-1(a)(2), agencies shall use GSA's mandatory-for-use programs when their requirements can be met by these programs, unless they have requested and received an exception to the use of these programs from GSA.

(b) In accordance with § 201-20.203-1(a)(3), agencies shall use GSA's mandatory-for-consideration programs when their requirements can be met by these programs and using them is the most advantageous alternative to the Government.

(c) The GSA programs and services discussed in this part are described more fully in FIRMR bulletins, handbooks, and other GSA publications. Appendix B to the FIRMR contains current FIRMR bulletins and appendix C lists bulletins, handbooks, and other guides.

(d) GSA, Federal Supply Service (FSS) manages a Federal Supply Schedules program that provides some resources that fall within the definition of FIP resources. When acquiring FIP resources from Federal Supply Schedules, agencies are responsible for determining FIRMR applicability in accordance with FIRMR § 201-1.002.

(e) GSA also provides nonmandatory services and assistance programs to help agencies meet their FIP resources requirements. These programs are discussed in FIRMR Bulletin C-9.

(f) GSA manages a nonmandatory schedule contracts program that provides a wide selection of FIP resources. Schedule 58 contains telecommunications resources and Schedule 70 contains ADP resources.

### **Subpart 201-24.1—GSA Mandatory-for-Use Programs**

#### **§ 201-24.100 Scope of subpart.**

This subpart describes GSA programs and contracts that are mandatory-for-use by

(a) Federal agencies must use the FTS2000 network for procurements subject to Section 111 of the Federal Property and Administrative Services Act (40 U.S.C. 759).

(b) GSA will grant exceptions to the use of the FTS2000 network when—

(1) The agency's procurement requirements are unique and cannot be satisfied by the FTS2000 network; and

(2) The agency procurement would be cost-effective and would not adversely affect the cost-effectiveness of the FTS2000 network.

(c) The FTS2000 network will provide Federal agencies modern up-to-date intercity telecommunications services over the life of the program. GSA will enhance existing services and add features to the FTS2000 network to maintain technologically current services and to improve services to user agencies. GSA will make service improvements in accordance with agencies' needs, contract provisions, governing regulations and statutes.

(d) Specific information concerning FTS2000 services and procedures for obtaining FTS2000 network prices is provided in FIRMR Bulletin C-18.

(e) As referenced in the FIRMR the terms intercity and long distance have the same meaning.

#### **§ 201-24.101-2 Policies.**

(a) Federal agencies shall use the FTS2000 network to satisfy long distance telecommunications requirements within the United States, Guam, Puerto Rico, or the Virgin Islands for requirements which are within the scope of FTS2000 network voice, data, and video services as such services become available unless:

(1) The agency requests and obtains from GSA an exception to the use of the FTS2000 network based on a GSA determination that—

(i) The agency's procurement requirements are unique and cannot be satisfied by the FTS2000 network, and

(ii) The agency procurement would be

(3) An exception to the use of the FTS2000 network for the agency is otherwise provided by law.

(b) Unless any of the exceptions listed in paragraph (a) of this section apply to the procurement, and when overall procurement requirements include any agency long distance telecommunications requirements which are within the scope of FTS2000 services, Federal agencies shall require offerors in new awards subject to 40 U.S.C. 759 to satisfy those requirements by using the Government furnished services of the FTS2000 network as such services become available.

(c) For ease of determining and evaluating Government costs, Federal agencies also shall require offerors to unbundle FTS2000 services in their offers by separately describing and pricing the FTS2000 services that satisfy Government requirements. However, the agency solicitation may prescribe an expected solution for the use of FTS2000. Offerors would then be required to separately price the Government-furnished services of FTS2000 only if their offers show a different use of FTS2000 than the Government's expected solution.

(d) Notwithstanding paragraphs (a) and (b) of this section, agencies may continue to use intercity telecommunications services and facilities provided under contracts previously authorized and awarded under prior FIRMR provisions without obtaining an exception to the use of the FTS2000 network. However, agencies shall use available FTS2000 services that can satisfy their procurement requirements upon expiration of such contracts. Before exercising renewal options under existing contracts that will result in the provision of intercity telecommunications services after September 30, 1991, agencies shall obtain an interim exception to the use of the FTS2000 network. This interim exception will allow GSA and the agencies to plan an orderly transition to

Agencies shall avoid incorporating inherently intercity features (i.e., features that can be provided only as part of an intercity network) of the FTS2000 network in agency networks. An exception to the use of the FTS2000 network is hereby provided to agencies with requirements for non-inherently intercity features to satisfy such features within a local network.

#### **§ 201-24.101-3 Procedures.**

(a) FIRMR Bulletin C-18 describes the scope and availability of FTS2000 services, including procedures for ordering services. GSA will provide assistance in understanding and pricing the services available from the FTS2000 network and in developing plans for transition to the FTS2000 network. For assistance and information concerning the FTS2000 network, agencies should contact the General Services Administration, Office of FTS2000 (T). See FIRMR Bulletin C-18 for addresses and telephone numbers.

(b) FTS2000 services may be ordered without obtaining a specific delegation of procurement authority from GSA. Agencies seeking an exception to the use of the FTS2000 network are responsible for documenting their case. A complete agency request for an exception to the use of the FTS2000 network shall establish to the satisfaction of GSA that:

(1) The agency's procurement requirements are unique and cannot be satisfied by the FTS2000 network;

(2) The agency's procurement would be cost-effective in accordance with the provisions of Part 201-20; and

(3) The agency's procurement would not adversely affect the cost-effectiveness of the FTS2000 network. (The rebuttable presumption is that, if an agency procurement requirement is unique and the resultant procurement would be cost-effective, the agency procurement would not adversely affect the cost-effectiveness of the FTS2000 network.)

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(e) Agencies may conduct procurements for long distance telecommunications services and facilities without prior approval of GSA when:

(1) The agency's requirements are within the scope of an exception to the use of the FTS2000 network provided by GSA; and

(2) The total dollar value of the procurement, including the long distance telecommunications, is within the limits prescribed in § 201-20.305-1.

(f) An agency may appeal a GSA denial of a request for an exception to the Office of Management and Budget (OMB) under procedures in 40 U.S.C. 759(e).

(g) If an agency has a requirement for long distance telecommunications within the United States, Guam, Puerto Rico, or the Virgin Islands that may be outside the scope of FTS2000, the requirement shall be submitted to GSA/T prior to initiating acquisition action. An exception to the mandatory use of FTS2000 will be given if GSA determines the service cannot be provided by FTS2000. Additionally, if a requirement is above the regulatory or specific agency delegation, and FTS2000 is not used, a specific acquisition delegation must be obtained. Requests for an exception and a DPA may be submitted simultaneously to GSA.

#### **§ 201-24.102 Consolidated local telecommunications service.**

(a) *General.* Consolidated local telecommunications service is available in most buildings occupied by concentrations of Federal employees. This service includes the major serving switch or service, universal features and applications, and the wire and cable to the designated point of connection. FIRMR Bulletin C-15 describes consolidated local telecommunications service, how to order it, and how to obtain a current listing of service locations.

(b) *Policy.* Agencies shall use available consolidated local telecommunications service to meet their local telecommunications

accordance with § 201-20.305.

(2) Agencies shall submit requests for exceptions to the use of consolidated local telecommunications services to: GSA, Federal Telecommunication Service (TT), 1730 M Street, NW., Suite 200, Washington, DC 20036.

(d) *Procedures.* FIRMR Bulletin C-15 describes procedures for using consolidated local telecommunications service. GSA charges to agencies for consolidated local telecommunications service will cover expenses for installation, changes in service, a common distributable charge, and termination.

**§ 201-24.103 [Reserved]**

**§ 201-24.104 [Reserved]**

**§ 201-24.105 [Reserved]**

#### **§ 201-24.106 National security and emergency preparedness (NSEP).**

(a) *General.* Executive Order 12472, April 3, 1984, requires that GSA ensure that the NSEP requirements of agencies are met. GSA incorporates NSEP safeguards and support features in networks and services it provides for agencies. GSA also provides emergency telecommunications for the special needs of agencies and helps agencies plan, obtain, and maintain continuity of telecommunications during wartime and non-wartime emergencies.

(b) *Policy.* Agencies shall use available GSA telecommunications systems and services to meet their NSEP requirements.

(c) *Procedures.* Before acquiring services or facilities to meet special NSEP requirements, agencies shall review GSA-provided services described in FIRMR Bulletin C-20. Agencies shall coordinate their special NSEP requirements with: General Services Administration, NSEP Division (KVN), 18th & F Streets, NW, Washington, DC 20405.

eg... has established the mandatory FMSS MAS Contracts Program.

(b) The FMSS MAS contracts program is mandatory-for-use by executive agencies for the acquisition of commercial software for primary accounting systems and for the acquisition of services and support related to the implementation of such software.

(c) Subpart 201-39.8 provides policies and procedures for using the FMSS MAS contracts program.

## **Subpart 201-24.2—GSA Mandatory-for-Consideration Programs**

### **§ 201-24.200 Scope of subpart.**

This subpart describes GSA programs that are mandatory-for-consideration by agencies.

#### **§ 201-24.201 Federal Software Exchange Program.**

(a) *General.* (1) The Federal Software Exchange Program (FSEP) is administered by the National Technical Information Service of the Department of Commerce under an interagency agreement with GSA's Office of Technical Assistance. The program promotes the sharing of common-use software and related documentation.

(2) Part 201-21 requires agencies to report common-use software to the Federal Software Exchange Center (FSEC); FIRMR Bulletin C-12 contains additional information on the use of the FSEP.

(b) *Policy.* Before contracting for common-use software, agencies shall contact the FSEC or review the Federal Software Exchange Catalog to determine whether common-use software available from other agencies would be the most advantageous alternative for meeting the agency's requirements.

#### **§ 201-24.202 Excess FIP Equipment**

procedures for disposition and reuse of excess FIP equipment.

(b) *Policy.* Before contracting for FIP equipment, agencies shall review GSA's current Excess Equipment Availability Letter to determine whether the GSA Excess FIP Equipment Program has FIP equipment that would satisfy their requirements as the most advantageous alternative to the Government.

#### **§ 201-24.203 Telecommunications assistance programs and services.**

##### **§ 201-24.203-1 Federal Secure Telephone Service (FSTS).**

(a) *General.* FSTS is a worldwide secure voice service designed to protect sensitive and classified voice transmission.

(b) *Policy.* Agencies shall consider the use of FSTS to meet requirements for the transmission of sensitive or classified voice information.

(c) *Procedures.* Information, assistance, and guidance concerning the use of FSTS, including access key arrangements, are discussed in FIRMR Bulletin C-19.

##### **§ 201-24.203-2 Information systems security (INFOSEC).**

(a) *General.* GSA offers worldwide services in support of agencies' sensitive and classified information requirements. Services cover installation, maintenance, key distribution, design, engineering, and INFOSEC consulting. GSA also operates and maintains communications security (COMSEC) systems and services to meet the requirements of agencies.

(b) *Policy.* Agencies shall consider the use of GSA-provided INFOSEC services and programs and COMSEC support services to meet their requirements.

(c) *Procedures.* Procedures for obtaining security services are contained in FIRMR Bulletin C-19.

**Subpart 201-39.1—Federal  
Information Resources  
Management Regulation  
(FIRMR)**

- 201-39.100 Scope of subpart.
- 201-39.101 Purpose, authority, applicability, and issuance.
- 201-39.101-1 Purpose.
- 201-39.101-2 Authority.
- 201-39.101-3 Applicability.
- 201-39.101-4 [Reserved]
- 201-39.101-5 Arrangement of part.
- 201-39.101-6 Copies.
- 201-39.102 Relationship of acquisition regulations.
- 201-39.103 [Reserved]
- 201-39.104 Deviations.
- 201-39.104-1 Deviations from the FIRMR.
- 201-39.104-2 Deviations from the FAR.
- 201-39.105 [Reserved]
- 201-39.106 Contracting authority and responsibilities.
- 201-39.106-1 General.
- 201-39.106-2 Policy.
- 201-39.106-3 Procedures.
- 201-39.106-4 Contract clause.

**Subpart 201-39.2—Definitions of  
Words and Terms**

- 201-39.200 Scope of subpart.
- 201-39.201 Definitions.

**Subparts 201-39.3 and 201-39.4  
[Reserved]**

**Subpart 201-39.5—[Reserved]**

**Subpart 201-39.6—Competition  
Requirements**

- 201-39.601-3 Authority.
- 201-39.602 Outdated FIP equipment.
- 201-39.602-1 Policy.
- 201-39.602-2 Exception.

**Subpart 201-39.7—[Reserved]**

**Subpart 201-39.8—Required  
Sources of Supplies and Services**

- 201-39.800 Scope of subpart.
- 201-39.801 Ordering FIP resources from Federal Supply Schedules.
- 201-39.801-1 General.
- 201-39.801-2 Policy.
- 201-39.802 Purchase of telephones and services (POTS) contracts.
- 201-39.802-1 General.
- 201-39.802-2 Policies.
- 201-39.802-3 Procedures.
- 201-39.803 GSA nonmandatory schedule contracts for FIP resources.
- 201-39.803-1 General.
- 201-39.803-2 Policy.
- 201-39.803-3 Procedures.
- 201-39.804 Financial Management Systems Software (FMSS) Mandatory Multiple Award Schedule (MAS) Contracts Program.
- 201-39.804-1 General.
- 201-39.804-2 Policy.
- 201-39.804-3 Exceptions.
- 201-39.804-4 Procedures.

**Subpart 201-39.9—[Reserved]**

**Subpart 201-39.10—Specifications,  
Standards, and other Purchase  
Descriptions**

201-39.1001-5 Contract clauses.  
201-39.1002 Federal standards.  
201-39.1002-1 General.  
201-39.1002-2 Policy.  
201-39.1002-3 Procedures.  
201-39.1002-4 Solicitation provision.  
201-39.1003 Specifications for outdated  
FIP equipment.

**Subparts 201-39.11 and 201-39.12  
[Reserved]**

**Subpart 201-39.13—Small  
Purchase and Other Simplified  
Purchase Procedures**

201-39.1300 Scope of subpart.  
201-39.1301 Policy.

**Subpart 201-39.14—Sealed Bidding**

201-39.1400 Scope of subpart.  
201-39.1401 General.  
201-39.1402 Price-related factors.  
201-39.1402-1 Policies.  
201-39.1402-2 Exception.  
201-39.1403 Solicitation.  
201-39.1404 Award.

**Subpart 201-39.15—Contracting By  
Negotiation**

201-39.1500 Scope of subpart.  
201-39.1501 Evaluation factors.  
201-39.1501-1 Policies.  
201-39.1501-2 Exception.  
201-39.1502 Solicitation.  
201-39.1503 Award.

**Subpart 201-39.16—[Reserved]**

**Subpart 201-39.17—Special  
Contracting Methods**

201-39.1701-4 Contracts.  
201-39.1701-5 Documentation.  
201-39.1701-6 Evaluation.  
201-39.1701-7 [Reserved]  
201-39.1701-8 Solicitation provision and  
contract clauses.  
201-39.1702 Interagency Acquisitions  
201-39.1702-1 Policy.  
201-39.1702-2 Procedures

**Subparts 201-39.18 through  
201-39.32 [Reserved]**

**Subpart 201-39.33—Protests,  
Disputes, and Appeals**

201-39.3300 Scope of subpart.  
201-39.3301 General.  
201-39.3302 Applicability.  
201-39.3303 Policy.  
201-39.3304 Procedures.  
201-39.3304-1 Protest notice.  
201-39.3304-2 GSA participation.

**Subparts 201-39.34 through  
201-39.43—[Reserved]**

**Subpart 201-39.44--  
Subcontracting Policies and  
Procedures**

201-39.4400 Scope of subpart.  
201-39.4401 Policy.

**Subpart 201-39.45—Government  
Property**

201-39.4500 Scope of subpart.  
201-39.4501 Dedicated FIP equipment or  
software in FIP services contracts.  
201-39.4501-1 General.  
201-39.4501-2 Policy.

**Subparts 201-39.46 through 201-39.51 |  
[Reserved]**

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clauses.

201-39.5202-1 FIRMR Applicability.

201-39.5202-2 Availability of the "Federal  
ADP and Telecommunications Standards  
Index."

**Authority:** 40 U.S.C. 486(c) and 751(f).

201-39.5202-3 Procurement authority.



example, parts 201-20 and 201-24 of this chapter.

(b) To assist Federal agencies in preparing solicitations for FIP resources, the General Services Administration (GSA) prepares standard solicitations and other guidance. Federal agencies can obtain copies of the standard solicitations by contacting: U.S. Government Printing Office, Attn: Electronic Products, P O. Box 37082, Washington, DC 20013-7082, Telephone number: (202) 512-1530, Facsimile number: (202) 512-1262. For information on obtaining acquisition guides contact the Federal IT Reference Center at (202) 501-4860.

## **Subpart 201-39.1—Federal Information Resources Management Regulation (FIRMR)**

### **§ 201-39.100 Scope of subpart.**

This subpart sets forth basic policies and general information pertaining to part 201-39 of the Federal Information Resources Management Regulation (FIRMR).

### **§ 201-39.101 Purpose, authority, applicability, and issuance.**

#### **§ 201-39.101-1 Purpose.**

This part 201-39 sets forth FIRMR contracting policies and procedures in a single part organized for consistency with the Federal Acquisition Regulation (FAR). This part contains only those contracting policies and procedures that are unique to FIP resources.

#### **§ 201-39.101-2 Authority.**

This part 201-39 is prepared, issued, and maintained by the Administrator of General Services under the Federal Property and Administrative Services Act of 1949, as amended.

#### **§ 201-39.101-3 Applicability.**

(a) *Policies.* The FIRMR applies to—

- (1) The acquisition, management, and

requires the use by the contractor of FIP resources that are not incidental to the performance of the contract. FIP resources acquired by a contractor are incidental to the performance of a contract when: (A) None of the principal tasks of the contract depend directly on the use of the FIP resources; or

(B) The requirements of the contract do not have the effect of substantially restricting the contractor's discretion in the acquisition and management of FIP resources, whether the use of FIP resources is or is not specifically stated in the contract.

(iii) The solicitation or contract requires the performance of a service or the furnishing of a product that is performed or produced making significant use of FIP resources that are not incidental to the performance of the contract. Significant use of FIP resources means:

(A) The service or product of the contract could not reasonably be produced or performed without the use of FIP resources; and

(B) The dollar value of FIP resources expended by the contractor to perform the service or furnish the product is expected to exceed \$500,000 or 20 percent of the estimated cost of the contract, whichever amount is lower.

(3) The creation, maintenance, and use of records by Federal agencies.

(b) *Exceptions.*

(1) The FIRMR does not apply to the procurement of FIP resources—

(i) By the Central Intelligence Agency (CIA).

(ii) By the Department of Defense when the function, operation, or use of such resources—

(A) Involves intelligence activities, cryptologic activities related to national security, the command and control of military forces, or equipment that is an integral part of a weapon or weapons system; or

(B) Is critical to the direct fulfillment of military or intelligence missions, provided that this exclusion shall not include FIP

radio equipment.

(3) When both FIP and other resources are being acquired under the same solicitation or contract and the FIRMR applies to the solicitation or contract, the FIRMR applies only to the FIP resources.

(4) Where the value of the FIP resources to be delivered does not exceed \$500,000 and constitutes only a minimal dollar amount of the contract, or is of little consequence to the major purpose of the contract, the FIRMR does not apply.

(5) While the FIRMR may require an agency to include in Federal solicitations and contracts provisions and clauses that control the contractor's acquisition of FIP resources, the FIRMR does not apply to FIP resources acquired by a Federal contractor that are incidental to the performance of a contract.

(6) The FIRMR does not apply to the acquisition, management, and use of products containing embedded FIP equipment when: (i) the embedded FIP equipment would need to be substantially modified to be used other than as an integral part of the product; or (ii) the dollar value of the embedded FIP equipment is less than \$500,000 or less than 20 percent of the value of the product, whichever amount is lower. Embedded FIP equipment is FIP equipment that is an integral part of the product, where the principal function of the product is not the "automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information. In an acquisition where multiple products are acquired, the exception applies to each discrete product.

(7) The FIRMR does not apply to the acquisition, management, and use of FIP resources that will be used in or as embedded FIP resources (equipment, software or supplies) in products excepted from FIRMR coverage under § 201-39.101-3(b)(6). This exception includes replacement or upgrades of the embedded FIP resources, regardless of the cost.

#### **§ 201-39.101-5 Arrangement of part.**

For consistency with the FAR, part 201-39 is divided into 53 subparts consisting of sections and subsections. In the same manner in which each FAR part deals with a separate aspect of acquisition, the corresponding subpart of part 201-39 deals with that aspect of acquisition as it relates to FIP resources. For example, since FAR part 6 deals with general competition requirements, FIRMR subpart 201-39.6 sets forth unique policies and procedures applicable to competition requirements for FIP resources. If there is no need to supplement a particular FAR part, the corresponding subpart of part 201-39 is reserved.

#### **§ 201-39.101-6 Copies.**

(a) Copies of the complete FIRMR in looseleaf or annual bound versions may be purchased from: Superintendent of Documents, Government Printing Office (GPO), Washington, DC 20402.

(b) Contracting officers should contact the GPO, their agency liaison officer, or GSA (KAR) for ordering information.

#### **§ 201-39.102 Relationship of acquisition regulations.**

(a) This part 201-39 sets forth Governmentwide policies and procedures unique to the acquisition of FIP resources by contracting. It relies on the FAR for general policies and procedures to be used in acquiring these resources. The policies and procedures of this part 201-39 are in addition to, not in lieu of, the FAR policies and procedures, except when the FIRMR specifically requires its policies and procedures, and not those of the FAR, to be followed.

(b) Notwithstanding the fact that the FAR is for the use of executive agencies in the acquisition of supplies and services, Federal agencies not otherwise subject to the FAR shall use the FAR in conjunction with the FIRMR when acquiring FIP resources.

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201-39.2, from part 201-39 when necessary to meet the specific needs and requirements of each agency. Class deviations (affecting more than one contract action) and individual deviations (affecting only one contract action) may be authorized by—

(1) The Commissioner, Information Technology Service, or

(2) The officials designated by the Commissioner for that purpose.

**(b) Procedures.**

(1) The agency head (or a designee) shall prescribe procedures for processing deviation requests.

(2) Each request for deviation shall explain the nature of and the reasons for the deviation.

(3) Agencies shall forward requests for deviations to: GSA/KAR, 18th & F Streets, NW, Washington, DC 20405.

**§ 201-39.104-2 Deviations from the FAR.**

Deviations from the FAR shall be accomplished in accordance with FAR subpart 1.4.

**§ 201-39.105 [Reserved]**

**§ 201-39.106 Contracting authority and responsibilities.**

**§ 201-39.106-1 General.**

(a) Notwithstanding FAR 1.601, authority and responsibility to contract for FIP resources is vested in the Administrator of General Services unless an exception in 40 U.S.C. 759(a)(3) applies. The Administrator of General Services, or a designee, authorizes agencies to contract for FIP resources by granting a delegation of procurement authority (DPA) to the agency designated senior official (DSO) when GSA determines that the DSO is sufficiently independent of program responsibility and has sufficient experience, resources, and ability to fairly and effectively carry out procurements under GSA's authority. Such delegations are granted by one of the following methods:

(1) The regulatory delegation of GSA's exclusive procurement authority which

resources management or a designee may authorize changes in the regulatory DPA for individual Federal agencies (or components thereof) on the basis of their ability to acquire, manage, and use FIP resources in accordance with FIRMR policies and procedures; or

(3) A specific acquisition delegation of GSA's exclusive procurement authority provided to the agency as a result of the submission of an agency procurement request (APR) to GSA when acquisitions are not covered by either the regulatory or a specific agency DPA.

(b) The agency's DSO may redelegate GSA's exclusive authorities for FIP resources to qualified officials. However, such re delegation does not relieve the DSO of the responsibilities under 44 U.S.C. 3506 for the conduct of and accountability for acquisitions of FIP resources made under a DPA from GSA.

(c) Only a contracting officer may enter into and sign a contract on behalf of the Government. A DPA from GSA does not make the DSO a contracting officer. Contracting officers are appointed under procedures established by agency heads under FAR subpart 1.6.

(d) Additional policies and procedures related to delegations of procurement authority are addressed in part 201-20.

**§ 201-39.106-2 Policy.**

Before contracting for FIP resources, the contracting officer shall ensure that the agency's DSO has redelegated GSA's procurement authority to the contracting officer.

**§ 201-39.106-3 Procedures.**

The contracting officer shall consider this § 201-39.106, agency directives, and written instructions to the contracting officer issued under FAR 1.602-1 to ensure that the contracting officer is authorized to make the award.

**§ 201-39.106-4 Contract clause.**

acquisition DPA, the contract clause shall also include the GSA case number of the specific DPA.

(c) Accordingly, the contracting officer shall—

(1) Insert a clause substantially the same as the clause at § 201-39.5202-3, Procurement Authority, in each solicitation and contract for FIP resources; and

(2) Promptly issue an amendment to the solicitation modifying this clause if any of the facts set forth in it change prior to contract award.

## **Subpart 201-39.2—Definitions of Words and Terms**

### **§ 201-39.200 Scope of subpart.**

This subpart defines words and terms used in part 201-39.

### **§ 201-39.201 Definitions.**

**Designated senior official (DSO)** means—

(a) The senior official designated by executive agencies pursuant to the Paperwork Reduction Act to be responsible for carrying out the agency's IRM functions (see 44 U.S.C. 3506); or

(b) The senior IRM official designated by the agency head for Federal agencies not subject to the Paperwork Reduction Act to be responsible for acquisitions of FIP resources made pursuant to a DPA.

**Deviation** means any one or a combination of the following:

(a) The issuance or use of a policy, procedure, practice, solicitation provision, contract clause, or method pertaining to the acquisition, management or use of Federal information processing resources that is inconsistent with the FIRMR.

(b) The omission or modification of any policy, procedure, practice, solicitation provision or contract clause required by the FIRMR.

(c) The authorization of lesser or greater limitations on the delegation, use, or

resources means automatic data processing equipment (ADPE) as defined in Public Law 99-500 (40 U.S.C. 759(a)(2)), and set out in paragraphs (a) and (b) of this definition.

(a) Any equipment or interconnected system or subsystems of equipment that is used in the automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception, of data or information—

(1) by a Federal agency, or

(2) under a contract with a Federal agency which—

(i) requires the use of such equipment, or

(ii) requires the performance of a service or the furnishing of a product which is performed or produced making significant use of such equipment.

(b) Such term includes—

(1) computers;

(2) ancillary equipment;

(3) software, firmware, and similar procedures;

(4) services, including support services; and

(5) related resources as defined by regulations issued by the Administrator for General Services.

(c) The term, FIP resources, includes FIP equipment, software, services, support services, maintenance, related supplies, and systems. These terms are limited by paragraphs (a) and (b) of the definition of FIP resources and are defined as follows:

(d) **FIP equipment** means any equipment or interconnected system or subsystems of equipment used in the automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information.

(e) **FIP maintenance** means those examination, testing, repair, or part replacement functions performed on FIP equipment or software.

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(h) **FIP software** means any software, including firmware, specifically designed to make use of and extend the capabilities of FIP equipment.

(i) **FIP support services** means any commercial nonpersonal services, including FIP maintenance, used in support of FIP equipment, software, or services.

(j) **FIP system** means any organized combination of FIP equipment, software, services, support services, or related supplies.

**Lowest overall cost** means the least expenditure of funds over the system life, price and other factors considered, including, but not necessarily limited to—

- (a) Prices for the FIP resources;
- (b) The present value adjustment, if used; and
- (c) The identifiable and quantifiable costs—

(1) Directly related to the acquisition and use of the FIP resources;

(2) Of conducting the contract action; and

(3) Of other administrative efforts directly related to the acquisition process.

**Most advantageous alternative** means the alternative that provides the greatest value to the Government over the system life in terms of price or cost, quality, performance, and any other relevant factors.

**Outdated FIP equipment** means any FIP equipment over six years old, based on the initial commercial installation date of that model of equipment, and that is no longer in current production.

**Radar equipment** means any radio detection device that provides information on range, azimuth, or elevation of objects.

**Radio equipment** means any equipment or interconnected system or subsystem of equipment (both transmission and reception) that is used to communicate over a distance by modulating and radiating electromagnetic waves in space without artificial guide. This does not include such items as

means a description of the Government's requirement for FIP resources that is so restrictive that only a particular manufacturer's products will satisfy the Government's needs, regardless of the number of suppliers that may be able to furnish that manufacturer's products.

**System life** means a projection of the time period that begins with the installation of the FIP resource and ends when the agency's need for that resource has terminated.

**Television equipment** means any equipment (both transmission and reception) used for the conversion of transient visual images into electrical signals that can be transmitted by radio or wire to distant receivers where the signals can be reconverted to the original visual images. This does not include such items as monitors for computers or computer terminals or video conferencing equipment.

## **Subparts 201-39.3 and 201-39.4 [Reserved]**

### **Subpart 201-39.5—[Reserved]**

### **Subpart 201-39.6—Competition Requirements**

#### **§ 201-39.600 Scope of subpart.**

This subpart prescribes policies and procedures applicable to—

- (a) The acquisition of FIP resources using specific make and model specifications; and
- (b) The use of follow-on contracts to perpetuate outdated FIP equipment.

#### **§ 201-39.601 Specific make and model specifications.**

##### **§ 201-39.601-1 Policy.**

An acquisition that uses a specific make and model specification does not provide for full and open competition and must be justified and approved in accordance with FAR 6.303 and 6.304.

statutory authority cited in accordance with FAR 6.302, is: 40 U.S.C. 759(g), as amended.

**§ 201-39.602 Outdated FIP equipment.**

**§ 201-39.602-1 Policy.**

The justification requirements of FAR 6.302-1(a)(2)(ii) shall not be used to perpetuate any contract for outdated FIP equipment or for FIP equipment to be used with FIP software that requires general redesign to satisfy mission needs.

**§ 201-39.602-2 Exception.**

An exception to § 201-39.602-1 may be invoked if the agency's DSO determines that such action will be in the Government's best interest.

**Subpart 201-39.7—[Reserved]**

**Subpart 201-39.8—Required Sources of Supplies and Services**

**§ 201-39.800 Scope of subpart.**

This subpart prescribes the policies and procedures applicable to the acquisition of FIP resources using GSA mandatory and nonmandatory sources of supply.

**§ 201-39.801 Ordering FIP resources from Federal Supply Schedules.**

**§ 201-39.801-1 General.**

GSA directs and manages both the Federal Supply Schedules program and the GSA nonmandatory schedule contracts for FIP resources. While most FIP resources available under these programs are covered by the GSA nonmandatory schedule contracts for FIP resources, the Federal Supply Schedules also contain some resources that fall within the definition of FIP resources. Use of the Federal Supply Schedules program is covered by FAR 8.4 and use of the GSA nonmandatory schedule contracts for FIP resources is covered by this subpart 201-39.8.

**§ 201-39.801-2 Policy.**

The procedures of FAR 8.4 shall be followed when an order for FIP resources is

POTS contracts to provide an optional source for telecommunications supplies and services, including purchase, installation, maintenance, repair, de-installation, and relocation of both contractor-provided and Government-owned telephone equipment, at locations throughout the country.

(b) The POTS contracts are available for use by all Federal agencies.

(c) Federal agencies may obtain information and assistance concerning the use of POTS contracts from: GSA, Technical Contract Management Division (KTT), 18th and F Streets, NW., Washington, DC 20405.

**§ 201-39.802-2 Policies.**

(a) Federal agencies may use POTS contracts when the requirement are within the scope of the POTS contracts.

(b) Use of the POTS contracts is a competitive procedure.

(c) Orders issued under a POTS contract are not subject to the publication requirements in FAR Part 5.

**§ 201-39.802-3 Procedures.**

Procedures for using the POTS program are contained in FIRMR Bulletin C-21.

**§ 201-39.803 GSA nonmandatory schedule contracts for FIP resources.**

**§ 201-39.803-1 General.**

(a) GSA nonmandatory schedule contracts for FIP resources, managed by GSA's Information Technology Service provide Federal agencies with a simplified process for obtaining these resources. GSA awards such contracts to many different vendors and each contract establishes terms, conditions, and prices for stated periods of time. These contracts are not part of the Federal Supply Service (FSS) Schedule program covered in FAR subpart 8.4 and they are not mandatory sources of supply.

(b) Agencies should use GSA nonmandatory schedule contracts for FIP resources when the contracting officer determines that placing an order under a GSA nonmandatory schedule contract would

(a) It results in the lowest overall cost alternative to meet the needs of the Government; and

(b) The procedures of this section are followed.

### **§ 201-39.803-3 Procedures.**

(a) Prior to selecting a GSA nonmandatory FIP schedule contract and placing an order, the agency shall justify any restrictive requirement (e.g., an "all or none" requirement or a requirement for "only new" equipment).

(b) Ordering activities can place orders of \$2,500 or less with any GSA nonmandatory FIP schedule contractor. GSA has already determined the prices of items under these contracts to be fair and reasonable.

(c) To reasonably ensure that a selection represents the best value and meets the agency's needs at the lowest overall cost alternative, before placing a MAS order of more than \$2,500, an ordering activity should—

(1) Consider reasonably available information about products offered under Multiple Award Schedule contracts; this standard is met if the ordering activity does the following:

(i) Considers products and prices contained in any GSA MAS automated information system (e.g., Information Resources Management - On-line Schedules System); or

(ii) If automated information is not available, reviews at least three (3) price lists.

(2) In selecting the best value item at the lowest overall cost (the price of the item plus administrative costs), the ordering activity may consider such factors as—

(i) Special features of one item not provided by comparable items which are required in effective program performance;

(ii) Trade-in considerations;

(iii) Probable life of the item selected as compared with that of a comparable item;

(iv) Warranty conditions; and

(v) Maintenance availability.

(3) Give preference to the items of small business concerns when two or more items at

finds that a schedule product is available elsewhere at a lower price, or where the quantity of an individual order clearly indicates the potential for obtaining a reduced price.

(e) Ordering activities should document orders of \$2,500 or less by identifying the contractor the item was purchased from, the item purchased, and the amount paid. For orders over \$2,500, MAS ordering files should be documented in accordance with internal agency practices. Agencies are encouraged to keep documentation to a minimum.

(f) Requirements or orders shall not be fragmented in order to circumvent the applicable MOL.

### **§ 201-39.804 Financial Management Systems Software (FMSS) Mandatory Multiple Award Schedule (MAS) Contracts Program.**

#### **§ 201-39.804-1 General.**

(a) The Office of Management and Budget (OMB) has established a Governmentwide financial management systems software program. To help agencies implement this program, GSA has established the mandatory FMSS MAS contracts program.

(b) Federal agencies may obtain information and assistance concerning the use of the FMSS MAS contracts program from: General Services Administration, ADP Systems Procurement Branch (KECP), FMSS Contracting Officer, 18th and F Streets, NW, Washington, DC 20405.

(c) OMB Circular No. A-127, "Financial Management Systems," provides further policy direction regarding the FMSS program.

#### **§ 201-39.804-2 Policy.**

Executive agencies shall use the FMSS MAS contracts program for the acquisition of commercial software for primary accounting systems and for the acquisition of services and support related to the implementation of such software.

the acquisition of services and support related to the implementation of that package until the previous non-MAS contract expires.

(b) Use of the FMSS MAS contracts program by Federal agencies that are not executive agencies is optional and is subject to the FMSS contractor accepting the order.

(c) An executive agency shall obtain a waiver from GSA if it determines that its requirements for financial management systems software cannot be satisfied through use of the FMSS MAS contracts program.

(1) The request for a waiver shall contain the following information:

(i) A description of the agency's requirements; (ii) The reasons the FMSS MAS contracts program does not satisfy the requirements; and

(iii) A description of how the agency proposes to satisfy its needs for financial management system software.

(2) Agencies shall send waiver requests to GSA at the address in § 201-39.804-1(b).

(3) If a waiver is obtained from GSA, a deviation from the FIRMR is not required.

#### **§ 201-39.804-4 Procedures.**

(a) The contracting officer shall announce the agency's requirements in a letter of interest (LOI) to all contractors participating in the FMSS MAS contracts program.

(b) At the time of issuance, the contracting officer shall provide a copy of the LOI to GSA at the address in § 201-39.804-1(b) and to OMB at the following address: Office of Management and Budget, Chief Financial Officer, 725 17th Street, NW, Room 10235, Washington, DC 20503.

(c) The LOI shall—

(1) Contain sufficient information to enable a competitive acquisition under the FMSS MAS contracts program;

(2) Include instructions to the FMSS MAS contractors for responding to the LOI;

(e) The contracting officer may issue single or multiple delivery orders to satisfy the total requirement.

(f) The contracting officer shall provide a copy of each delivery order, or modification thereto, to OMB at the address shown in subparagraph (b) of this section and to GSA at the address in § 201-39.804-1(b).

### **Subpart 201-39.9—[Reserved]**

### **Subpart 201-39.10—Specifications, Standards, and other Purchase Descriptions**

#### **§ 201-39.1000 Scope of subpart.**

This subpart prescribes policies and procedures for using specifications, standards, and other purchase descriptions in acquiring FIP resources.

#### **§ 201-39.1001 Security and privacy specifications.**

##### **§ 201-39.1001-1 Security specifications.**

Specifications for security of FIP resources shall include, as appropriate:

(a) Agency rules of conduct that a contractor shall be required to follow.

(b) A list of the anticipated threats and hazards that the contractor must guard against.

(c) A description of the safeguards that the contractor must specifically provide.

(d) The security standards applicable to the contract.

(e) A description of the test methods, procedures, criteria, and inspection system necessary to verify and monitor the operation of the safeguards during contract performance and to discover and counter any new threats or hazards.

(f) A description of the procedures for periodically assessing the security risks involved.

contractor is required to provide to its employees.

(i) Consistent with the guidelines issued by the Office of Management and Budget (OMB) in OMB Bulletin 90-08, a description of the plan the contractor must develop or follow to provide for the security and privacy of FIP resources the contractor is required to operate.

#### **§ 201-39.1001-2 Privacy specifications.**

(a) *Applicability.* This subsection is applicable to executive agencies that are subject to the Privacy Act of 1974 (5 U.S.C. 552a).

(b) *Procedures.* Specifications for the design, development, or operation of a system of records using commercial FIP services or support services shall include the following:

(1) Agency rules of conduct that the contractor and the contractor's employees shall be required to follow.

(2) A list of the anticipated threats and hazards that the contractor must guard against.

(3) A description of the safeguards that the contractor must specifically provide.

(4) Requirements for a program of Government inspection during performance of the contract that will ensure the continued efficacy and efficiency of safeguards and the discovery and countering of new threats and hazards.

#### **§ 201-39.1001-3 Contract clause.**

The contracting officer shall insert a clause substantially the same as the clause at § 201-39.5202-5, Privacy or Security Safeguards, in solicitations and contracts—

(a) Requiring security of FIP resources.

(b) For the design, development, or operation of a system of records using commercial FIP services or support services.

#### **§ 201-39.1002 Federal standards.**

##### **§ 201-39.1002-1 General.**

GSA publishes a handbook titled "Federal

index can be purchased from: U.S. Government Printing Office, Superintendent of Documents, Washington, DC 20402.

#### **§ 201-39.1002-2 Policy.**

The contracting officer shall include in solicitations terminology to incorporate each standard that is applicable to the FIP resources being acquired.

#### **§ 201-39.1002-3 Procedures.**

The contracting officer shall use one or a combination of the following methods to implement standards in solicitations:

(a) Include in the solicitation the full text of the terminology contained in the index for each applicable standard.

(b) Incorporate in the solicitation the applicable terminology by reference to the index.

(c) For each applicable standard, include the full text of the terminology as developed by the agency.

#### **§ 201-39.1002-4 Solicitation provision.**

If any of the terminology to incorporate standards in solicitations is incorporated by reference, the contracting officer shall insert in the solicitation the provision at § 201-39.5202-2, Availability of the "Federal ADP and Telecommunications Standards Index."

#### **§ 201-39.1003 Specifications for outdated FIP equipment.**

The contracting officer shall not include specifications for outdated FIP equipment in a solicitation unless—

(a) The agency's DSO determines that such action will be in the Government's best interest; or

(b) A determination has been made in accordance with § 201-39.602

#### **Subparts 201-39.11 and 201-39.12 [Reserved]**

#### **Subpart 201-39.13—Small Purchase and Other Simplified Purchase Procedures**

**§ 201-39.1301 Policy.**

When requirements for FIP resources are to be satisfied through the use of GSA sources of supply as set forth in subpart 201-39.8, the policies and procedures of FAR part 13 do not apply.

**Subpart 201-39.14—Sealed Bidding**

**§ 201-39.1400 Scope of subpart.**

This subpart prescribes policies and procedures governing contracting for FIP resources by sealed bidding.

**§ 201-39.1401 General.**

This subpart requires the contracting officer to select the bid that is most advantageous to the Government considering options, acquisition methods, present value discount factors, and other price-related factors. Therefore, contracting officers should consider the factors associated with each acquisition of FIP resources in order to select the method of contracting that will best accommodate this requirement.

**§ 201-39.1402 Price-related factors.**

**§ 201-39.1402-1 Policies.**

(a) In addition to the bid price for the basic and all optional quantities and contract periods and optional FIP resources; and the price-related factors set forth in FAR 14.201-8, sealed bid solicitations for FIP resources shall be structured to require consideration of the following factors, as applicable, in order to determine which bid is most advantageous to the Government.

(1) Support and in-house costs over the system life for installing, operating, and disposing, where quantifiable and when these costs may differ based on offers received.

(2) Any costs of conversion that can be stated in dollars, as well as other costs directly related to converting from installed

bases, and files.

(iii) Development of documentation for existing application software.

(iv) Improvements in management and operating procedures.

(b) When payments are expected to vary among the alternatives being considered, or where payments will be made over an extended period, agencies should adjust prices and costs to present value and apply the results in source selection. Agencies should follow the guidance in OMB Circular A-94 regarding present value calculations.

**§ 201-39.1402-2 Exception.**

Agencies are permitted to award on the basis of the lowest offered purchase price when—

(a) The only acquisition method to be used is purchase;

(b) The purchase price of each item being acquired does not exceed \$100,000; and

(c) The total purchase price of all the FIP resources to be included in the contract does not exceed \$1,000,000.

**§ 201-39.1403 Solicitation.**

(a) The solicitation shall state the means of evaluating all acquisition methods included in the solicitation.

(b) If a present-value adjustment is to be used, the solicitation shall state the methodology and discount rate that will be applied in the evaluation process.

**§ 201-39.1404 Award.**

The contracting officer shall not award a contract providing for the delivery of outdated FIP equipment unless—

(a) The agency's DSO determines that such action will be in the Government's best interest; or

(b) A determination has been made in accordance with § 201-39.602 or § 201-39.1003.

**§ 201-39.1501 Evaluation factors.**

**§ 201-39.1501-1 Policies.**

(a) In addition to the factors set forth in FAR 15.605, the contracting officer shall evaluate total cost, including the following factors:

(1) All prices for FIP resources including the basic and optional quantities, basic and optional contract periods, and optional FIP resources.

(2) Other support and in-house costs over the system life for installing, operating, and disposing, where quantifiable and when these costs may differ based on offers received.

(3) Any costs of conversion that can be stated in dollars, as well as other costs directly related to converting from installed to augmentation or replacement FIP resources. However, the costs associated with the following shall not be included:

(i) Conversion of existing software and data bases that are to be redesigned regardless of whether or not augmentation or replacement FIP resources are acquired.

(ii) Purging duplicate or obsolete software, data bases, and files.

(iii) Development of documentation for existing application software.

(iv) Improvements in management and operating procedures.

(b) When payments are expected to vary among the alternatives being considered, or where payments will be made over an extended period, agencies should adjust prices and costs to present value and apply the results in source selection. Agencies should follow the guidance in OMB Circular A-94 regarding present value calculations.

**§ 201-39.1501-2 Exception.**

Agencies are permitted to award on the basis of the lowest offered purchase price when—

**§ 201-39.1502 Solicitation.**

(a) The solicitation shall state the means of evaluating all acquisition methods included in the solicitation.

(b) If a present-value adjustment is to be used, the solicitation shall state the methodology and discount rate that will be applied in the evaluation process.

**§ 201-39.1503 Award.**

The contracting officer shall not award a contract providing for the delivery of outdated FIP equipment unless—

(a) The agency's DSO determines that such action will be in the Government's best interest; or

(b) A determination has been made in accordance with § 201-39.602 or § 201-39.1003.

**Subpart 201-39.16—[Reserved]**

**Subpart 201-39.17—Special Contracting Methods**

**§ 201-39.1700 Scope of subpart.**

This subpart prescribes policies and procedures for using options and contracts available to Federal agencies for FIP resources

**§ 201-39.1701 Options.**

**§ 201-39.1701-1 General.**

The use of options may be appropriate in FIP resources acquisitions because—

(a) The FIRMR requires agencies to determine a system life for each FIP resource requirement and to evaluate costs over the system life;

(b) Funding is normally not available at the time of award for the entire system life; and

Except as set forth below, the policies and procedures of FAR subpart 17.2 shall apply to the acquisition of FIP resources, notwithstanding the language in FAR 17.200.

**§ 201-39.1701-3 Policy.**

Notwithstanding the language in FAR 17.202, a contract for FIP resources with options to extend the contract period of performance, or to acquire additional quantities or optional FIP resources may be used when—

(a) The Government has requirements for the acquisition of FIP resources extending beyond the basic contract period;

(b) Funds are not available for the entire system life, but a reasonable certainty exists that they will be available in the future; or

(c) Competition for the additional periods, quantities or optional FIP resources is impracticable once the contract is awarded.

**§ 201-39.1701-4 Contracts.**

Notwithstanding the language in FAR 17.204(e), the total of the basic and option periods for contracts not subject to the Service Contract Act of 1965 (41 U.S.C. 351 et seq.), as amended, may exceed 5 years (see FAR 22.10). However, statutes applicable to various classes of contracts may place additional restrictions on the length of contracts.

**§ 201-39.1701-5 Documentation.**

Any justifications and approvals or determinations and findings required by subpart 201-39.6 or FAR part 6 shall specify both the basic requirement and all options.

**§ 201-39.1701-6 Evaluation.**

Notwithstanding the language in FAR 17.206, the contracting officer shall consider all options in the award evaluation.

**§ 201-39.1701-7 [Reserved]**

**§ 201-39.1701-8 Solicitation provision and contract clauses.**

In lieu of the solicitation provisions and contract clauses prescriptions set forth in FAR 17.208, the contracting officer shall

the clause at FAR 52.217-9, Option for Increased Quantity, in the solicitation and contract; and

(c) A clause substantially the same as the clause at FAR 52.217-9, Option to Extend the Term of the Contract, in the solicitation and contract.

**§ 201-39.1702 Interagency Acquisitions.**

**§ 201-39.1702-1 Policy.**

FAR subpart 17.5 concerning interagency acquisitions does not apply when acquiring or providing FIP resources under a contract which has been awarded pursuant to a delegation of procurement authority from GSA under 40 U.S.C. 759. Agencies should cite 40 U.S.C. 759 as their contracting authority.

**§ 201-39.1702-2 Procedures.**

(a) Agencies are encouraged to make new indefinite-delivery/indefinite-quantity (IDIQ) contracts for commercial FIP products and services available for use by other agencies.

(1) Contracts must be awarded using full and open competition.

(2) Contract provisions should allow other Federal agencies to use the contracting agency's contract to satisfy requirements that are within the scope of products and services available under the contract until the total contract dollars are expended, subject to ordering limitations imposed by the contracting agency. At the contracting agency's discretion, other agencies may use portions of the contract not needed by the contracting agency.

(3) In addition, contract requirements for products and services may be increased up to twenty percent beyond the contracting agency's requirements in anticipation of overall greater use by the government without conducting additional studies to determine the anticipated needs of other agencies that may place orders under the contract. Use of the contract by other agencies should not be limited to the percent contract requirements are increased. Other agencies should have priority for use of the percent that the contract requirements are increased.

### **Subpart 201-39.33—Protests, Disputes, and Appeals**

#### **§ 201-39.3300 Scope of subpart.**

This subpart prescribes policies and procedures applicable to protests concerning FIP resource acquisitions filed with the GSA Board of Contract Appeals (GSBCA).

#### **§ 201-39.3301 General.**

Under Public Law 98-369, as amended (40 U.S.C. 759(f)), the GSBCA is authorized to hear and decide protests by interested parties involving acquisitions of FIP resources by Federal agencies subject to section 111 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 759), including acquisitions subject to GSA delegations of procurement authority.

#### **§ 201-39.3302 Applicability.**

This subpart is applicable to all Federal agencies.

#### **§ 201-39.3303 Policy.**

All Federal agencies shall follow the GSBCA "Rules of Procedure" in 48 CFR chapter 61.

#### **§ 201-39.3304 Procedures.**

##### **§ 201-39.3304-1 Protest notice.**

Within one working day after receiving a copy of the protest, the contracting officer shall give oral or written notice of the protest to: General Services Administration, Acquisition Reviews Division (KAA), 18th and F Streets, NW., Washington, DC 20405, telephone (202) 501-1566. If the protest involves an acquisition issued under a specific acquisition delegation of procurement authority (DPA), the DPA number shall be provided to GSA with the notice.

##### **§ 201-39.3304-2 GSA participation.**

### **Subpart 201-39.44— Subcontracting Policies and Procedures**

#### **§ 201-39.4400 Scope of subpart.**

This subpart prescribes policies and procedures applicable when subcontracting includes FIP resources.

#### **§ 201-39.4401 Policy.**

In addition to the policies and procedures set forth in FAR 44.202-2, the contracting officer responsible for consent shall make a written determination for the file that competition was obtained for FIP resources or that the absence of competition is properly justified.

### **Subpart 201-39.45—Government Property**

#### **§ 201-39.4500 Scope of subpart.**

This subpart prescribes policies and procedures for providing Government FIP resources to contractors.

#### **§ 201-39.4501 Dedicated FIP equipment or software in FIP services contracts.**

##### **§ 201-39.4501-1 General.**

When an offeror proposes the dedicated use of FIP equipment or software in performing a FIP service, it means that the offeror is proposing to use that resource exclusively in providing that service. When this is the case, it can sometimes be more advantageous to the Government to provide the FIP equipment or software to the offeror as Government-furnished property.

##### **§ 201-39.4501-2 Policy.**

When a solicitation requires or allows an offeror to propose the dedicated use of FIP equipment or software in performing a FIP service, the contracting officer shall ensure that the solicitation—

(a) Reserves the right for the Government to furnish the dedicated items to the offeror;

**Subpart 201-39.52—Solicitation Provisions and Contract Clauses**

**§ 201-39.5200 Scope of subpart.**

This subpart—

- (a) Gives instructions for using provisions and clauses in solicitations and contracts for FIP resources; and
- (b) Sets forth the solicitation provisions and contract clauses prescribed by this part 201-39.

**§ 201-39.5201 [Reserved]**

**§ 201-39.5202 Texts of provisions and clauses.**

**§ 201-39.5202-1 FIRMR Applicability.**

As prescribed in § 201-39.101-3(c), insert a clause substantially the same as the following in solicitations and contracts:

**FIRMR APPLICABILITY (OCT 90 FIRMR)**

This solicitation/contract requires the use or delivery of Federal information processing resources but the agency has determined that FIRMR part 201-39 does not apply based on the exception set forth in § 201-39.101-3(b)

\*

(End of clause)

\* Insert the specific sub-paragraph number(s) of the applicable exception.

**§ 201-39.5202-2 Availability of the "Federal ADP and Telecommunications Standards Index."**

As prescribed in § 201-39.1002-4, insert the following provision in the solicitation:

**AVAILABILITY OF THE "FEDERAL ADP AND TELECOMMUNICATIONS STANDARDS INDEX" (OCT 90 FIRMR)**

Copies of the "Federal ADP and Telecommunications Standards Index" can be purchased from the U.S. Government Printing Office, Superintendent of Documents, Washington, DC 20402.

(End of provision)

**§ 201-39.5202-3 Procurement authority.**

\* \_\_\_\_\_delegation of GSA's exclusive

procurement authority for FIP resources.

The specific GSA DPA case number is \_\_\_\_\_\*\*

(End of provision)

\* Insert one of the following phrases:

- (1) "the regulatory;"
- (2) "a specific agency;" or
- (3) "a specific acquisition."

\*\* Insert one of the following:

- (1) If the acquisition is being conducted under the regulatory delegation, insert "not applicable."
- (2) If the acquisition is being conducted under a specific agency delegation or a specific acquisition delegation, insert the case number as provided in GSA's letter delegating the specific procurement authority (e.g., KAA-88-9999).

**§ 201-39.5202-4 Evaluation of options - FIP resources.**

As prescribed in § 201-39.1701-8(a), insert a provision substantially the same as the following in the solicitation:

**EVALUATION OF OPTIONS - FIP RESOURCES (OCT 90 FIRMR)**

(a) The Government will evaluate offers for award purposes by adding the total price for all options to the total price for the basic requirement. These prices will be adjusted by the applicable discount factors shown in \* of the solicitation. Evaluation of options will not obligate the Government to exercise the options. Offers containing any charges for failure to exercise any option will be rejected.

(b) Selection of an offer will be made on the basis of the most advantageous alternative to the Government provided that the contract prices reasonably represent the value of bona fide requirements for each fiscal year. This determination with respect to contract prices will be made after consideration of such factors as commercial or catalog prices for short-term leases, offeror system startup expenses, multiyear price protection, assured system life availability of equipment, software, and vendor support. If

where any applicable discount factors and contemplated payment schedule are specified; or

(2) If a present-value adjustment is not being used, insert "Not Applicable."

**§ 201-39.5202-5 Privacy or security safeguards.**

As prescribed in § 201-39.1001-3, insert a clause substantially the same as the following clause in solicitations and contracts:

**PRIVACY OR SECURITY SAFEGUARDS  
(OCT 90 FIRMR)**

(a) The details of any safeguards the contractor may design or develop under this contract are the property of the Government and shall not be published or disclosed in any manner without the contracting officer's express written consent.

(b) The details of any safeguards that may be revealed to the contractor by the Government in the course of performance under this contract shall not be published or disclosed in any manner without the contracting officer's express written consent.

integrity, and confidentiality.

(d) If new or unanticipated threats or hazards are discovered by either the Government or the contractor, or if existing safeguards have ceased to function, the discoverer shall immediately bring the situation to the attention of the other party. Mutual agreement shall then be reached on changes or corrections to existing safeguards or institution of new safeguards, with final determination of appropriateness being made by the Government. The Government's liability is limited to an equitable adjustment of cost for such changes or corrections, and the Government shall not be liable for claims of loss of business, damage to reputation, or damages of any other kind arising from discovery of new or unanticipated threats or hazards, or any public or private disclosure thereof.

(End of clause)

**§ 201-39.5202-6 [Reserved]**

**Subpart 201-39.53—[Reserved]**

**FEDERAL INFORMATION RESOURCES MANAGEMENT REGULATION  
(AMENDMENT 7, OCTOBER 1995)**



SUBJECT: Trail Boss Program

1. Purpose. This bulletin describes the Trail Boss Program, provides guidelines for agency participation, and states GSA's responsibilities.

2. Expiration date. This bulletin contains information of a continuing nature and will remain in effect until canceled.

3. Contents.

<u>Topic</u>	<u>Paragraph</u>
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Information and assistance.....	5
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Agency responsibilities.....	11
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Statement of qualifications of the Trail Boss.....	Attachment C

4. Related material.

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TC 90-

Attachments

FEDERAL INFORMATION RESOURCES MANAGEMENT REGULATION  
APPENDIX B

18th and F Streets, NW.  
Washington, DC 20405

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## 6. Definitions.

"The Trail Boss Program" is an approach for effectively managing major Federal information processing (FIP) resources acquisitions and their implementation.

"The Trail Boss" is an individual with executive-level responsibility in an agency, with extensive experience with major FIP resource acquisitions, and the ability to deal successfully with multiple oversight organizations while building and managing an effective team.

"A Trail Boss Charter" is a method of outlining the scope of the program and the roles and responsibilities of the persons involved in a Trail Boss program. Considerations for establishing a successful Trail Boss Charter are detailed in Attachments A, B, and C.

## 7. Acronyms.

APR	Agency Procurement Request
DPA	Delegation of Procurement Authority
FIP	Federal information processing
IRM	Information Resources Management

8. General. GSA inaugurated the Trail Boss Program in 1988 based on three needs for: (1). current knowledge, (2). a single manager for major FIP resource programs, and, (3). a supportive environment for such managers. The program emphasizes the importance of individuals having the knowledge and skills to conduct sound and timely acquisitions. A principal objective of the Trail Boss Program is to enhance the Government's ability to

recommended approach for major FIP programs. Key elements include:

a. A single manager, or Trail Boss, accountable for the programmatic, technical, and contracting aspects of the acquisition;

b. A Trail Boss Team, consisting of responsible programmatic, technical, and contracting members, as defined by a Trail Boss Charter (see Attachment A); and

c. Education and Governmentwide networking for managers and members of the team to encourage innovation and to use the best practices available in the Government.

10. Key benefits of the program. The Program provides for key factors in successful acquisitions:

a. Continuity - a single manager, often supported by deputies, in charge from start to finish;

b. Balance - a shift in emphasis from process and procedure to individuals who do the work;

c. Skills - thoughtfully selected and trained managers; and

d. Time and Economy - faster, more effective programs on track and under budget.

11. Agency responsibilities. To participate in the Trail Boss Program, agencies are encouraged to:

a. Select acquisitions to include in the program.

(1) The acquisitions should be in the early conceptual or requirements analysis stage.

(4) The acquisitions should be included in the agency's five-year plan for meeting its information technology needs.

5) The acquisitions should have the support of senior program, technical, and contracting officials.

b. Assign Trail Bosses and provide support teams. Agencies should select as Trail Bosses individuals who are at a management level that allows for dealing effectively with oversight and regulatory organizations and who have the necessary authority and expertise to integrate the programmatic, technical, and contracting functions required to manage the acquisition (see Attachment B). The Trail Boss should have access to senior management officials and the necessary resources to ensure the acquisition is successful. To ensure management continuity, the Trail Boss should be the same person throughout the acquisition. Agencies should select one or more Deputy Trail Bosses, as necessary, to supplement the knowledge, skills, or abilities of the Trail Boss (e.g., Deputy Trail Boss for Technical, for Contracting, for Implementation, etc.), and ensure continuity in the event a Trail Boss can no longer serve.

c. Prepare a Trail Boss Charter as outlined in Attachment A.

12. GSA responsibilities. GSA will:

a. Conduct Trail Boss training seminars to prepare prospective Trail Bosses and Deputy Trail Bosses for conducting acquisitions using the unique Trail Boss approach.

b. Act as a central resource for important information developed from other acquisitions. These may include lessons learned and methods for problem resolution.

c. Support the Trail Bosses; expand the network of acquisition experts; provide updates on acquisition dynamics and new trends in acquisition management; match Trail Bosses with

e. Encourage interagency sharing of Trail Boss experiences through the Trail Boss Interagency Committee, the Trail Boss Round Up, and other GSA sponsored forums.

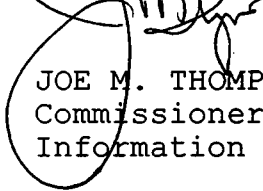
13. Trail Boss training seminars. GSA's Trail Boss Educational Program consists of three, two-week seminars designed to assist Federal managers in dealing with the multiple pressures of planning, acquiring, and implementing major information systems.

The seminars, conducted by top-level practitioners, are open to senior Federal managers (civilian and military). Persons may elect to attend one or more of the seminars, in any particular order, according to their needs. All Trail Boss classes run two full weeks, combining classroom instruction with case studies, team projects and presentations. The three, two-week seminars are:

**Trail Boss I: Acquisition** is designed to provide senior managers modern tools and insights for dealing with the complex problems involved in major, long-term ADP or telecommunications acquisitions. The target audience is senior program, technical, and procurement managers assigned to lead major modernization efforts.

**Trail Boss II: Implementation** provides in-depth guidance on the implementation of major information systems. The target audience is senior implementation managers and contract administrators assigned to manage the contract and the overall developmental effort.

**Trail Boss III: Contracting** focuses on the key role of contracting officers in acquiring major information systems. The target audience is senior contracting officers, and their technical representatives, assigned to large Trail Boss acquisitions.



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2. Trail Boss Status and Line of Authority. Describe the scope of authority of the Trail Boss, the reporting structure for the Trail Boss and for the acquisition support team (paragraph 4., below), and the contracting officer's relationship to the Trail Boss. Include an organization chart delineating access paths to upper management.

3. Designation of Trail Boss Program Participants and Delineation of Authority. Describe the responsibility and authority of the Trail Boss as it pertains to the overall Trail Boss program and its implementation and to the contracting actions in particular. Specify the anticipated length of time that the Trail Boss and support team designations will remain in effect, and procedures to replace the Trail Boss, Deputy Trail Bosses, or other team members in the event of vacancies. State that the contracting officer on a Trail Boss team retains independent "contract warrant" authority.

4. Acquisition Support Team. Define the role of the acquisition support team that will support the Trail Boss. Describe the composition of this team in terms of required positions and skills (e.g., technical, contracting, clerical, administrative, budget, legal, etc.).

5. Responsibilities of the Trail Boss. Delineate the specific roles of the Trail Boss and the Deputy Trail Bosses, if applicable. These responsibilities must encompass key activities and functions that the Trail Boss should accomplish.

6. Statement of Agency Commitment. Include a statement of the agency's commitment to--

(a) Follow the provisions of the Trail Boss Charter for the life of the acquisition and its implementation;

life of the acquisition and its implementation;

(d) Brief the Senior Information Resources Management (IRM) Official at least every 12 months;

(e) Coordinate with GSA to evaluate the Governmentwide Trail Boss Program.

1. Qualifications. The Trail Boss should have the following knowledge, experience, and education:

(a) Significant Federal experience with at least one major FIP system acquisition and knowledge of Federal and agency acquisition policies and practices.

(b) Technical knowledge relevant to the acquisition proposed for the Trail Boss Program, knowledge of life-cycle management, and experience in implementing a major system.

(c) Program experience relevant to the acquisition.

(d) Knowledge of basic management principles and experience with their application.

(e) Knowledge of Federal and agency budget policies and procedures.

(f) Knowledge of project management strategies and experience in managing a major technical project.

2. Considerations for Selecting a Trail Boss. Review of the following factors helps to identify candidates and select the Trail Boss and Deputy Trail Bosses:

(a) Number of recent years of management experience with FIP systems.

(b) Approximate percentage of such experience in line management positions designing, implementing, operating, or maintaining major FIP systems.

(c) Understanding of the agency's program and mission requirements.

(f) Organizational impact of the assignment.

1. List the name, position title, and organizational identity of the Trail Boss and, if applicable, Deputy Trail Bosses.
2. Outline their experience and education with FIP resources acquisitions.
3. Describe planned education or training that will provide the Trail Boss and Deputy Trail Bosses with additional necessary knowledge and skills to accomplish the Trail Boss assignment.



A-2	08/10/91	Availability of Electronic Versions of the Federal Information Resources Management Regulation
B-1	01/30/91	Electronic Records Management
B-2	01/30/91	Interagency Reports Management Program
B-3/Rev.2	10/24/95	Standard and Optional Forms Management Program
B-4	01/30/91	Selecting and Using Stationery and Related Forms
B-5	11/22/91	Interagency Committee on Medical Records
C-1	01/30/91	Sharing Telecommunications Resources
C-2	01/30/91	Disposition and Reuse of FIP Equipment
C-3/Rev.1	01/02/92	Federal ADP and Telecommunications Standards Index
C-4/Rev. 1	07/08/94	Performance and Capability Validation of FIP Systems
C-5	01/30/91	Delegation of GSA's Exclusive Procurement and Multiyear Contract Authority
C-6/Rev.1	06/01/93	Federal Information Resources Management Review Program
→ C-7/Rev. 1	12/12/95	Trail Boss Program
C-8	01/30/91	Information Accessibility for employees with Disabilities
C-9/Rev. 1	08/11/93	Nonmandatory GSA Services and Assistance Programs
C-10	01/30/91	Telecommunications Accessibility for Hearing and Speech Impaired Individuals
C-11	01/30/91	Sharing of Data Processing Capacity
C-12	01/30/91	Federal Software Exchange Program
C-13	01/31/91	Control of Long-distance Telephone Services
C-14	01/30/91	Conversion of FIP Resources
C-15	01/30/91	Mandatory Local Telecommunications Services

TC 90-13 Federal Information Resources Management Regulation C-3  
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C-18/Rev.1	06/02/93	Federal Telecommunications System 2000 (FTS2000)
C-19	01/30/91	Information Systems Security (INFOSEC)
C-20	01/31/91	National Security and Emergency Preparedness (NSEP) Telecom- munications
C-21	01/30/91	Purchase of Telephones and Services (POTS) Contracts
C-22 (Supp. 1)	07/08/94	Security and Privacy Protection of Federal Information Processing (FIP)
C-23	01/30/91	Limitation on the use of Halon in Fire Extinguishing Systems
C-24 (Rev. 1)	07/14/92	Use of Contracts Designated by the General Services Administration for Governmentwide Use by Federal Agencies
C-25	01/30/91	Bid Analysis and Reporting System (BARS)
C-26	01/30/91	Vendor Complaints and Agency Protests
C-27/Rev.2	11/19/93	Reuse of Outdated Federal Information Processing (FIP) Equipment
C-28	11/06/90	Computer Viruses
C-29	02/14/91	Acquisition of Used Computer Equipment by the Federal Government
C-30	11/12/91	Replacement of, and Screening for, Federal Information Processing (FIP) Equipment Under Exchange/Sale Authority
C-31	01/02/92	Use of Metric Measures in FIP Acquisitions the Federal Government

C-4 Federal Information Resources Management Regulation TC 90-8  
(Appendix C, July, 1994)

2	10/07/94	Amendment of Miscellaneous FIRM Provisions
3	08/15/94	Amendment of FIRM Provisions Relating to FIRM Applicability, FIRM Bulletins, and Present Value Analysis
4	01/19/95	Amendment of FIRM to Remove Provisions for Using GSA Nonmandatory Schedule Contracts for FIP Resources
5	10/24/95	Amendment to Revise FIRM Provisions Regarding the Standard and Optional Forms Management Program
6	10/27/95	Amendment of FIRM Provisions to Provide for Mult-Agency use of Contracts for Federal Information Processing (FIP) Resources
→ 7	8/27/95	Amendment of FIRM Provisions to Ensure Currency and Relevancy
Interim Rule <u>Number</u>		
1	10/15/93	Mandatory requirement for agencies to purchase energy efficient computer equipment
2	10/11/94	Revises policies regarding delegations of procurement authority from GSA for the acquisition of Federal information processing (FIP)

C-2 Federal Information Resources Management Regulation TC 90-13  
(Appendix C, March 1996)